MEMORIAL

OF

DANIEL LORD.

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It is always a subject for deep regret when the lives of good men are permitted to end in influence, as in duration, at the entrance to the grave. A symmetrical character, exhibited in a career of useful labor, is an object of contemplation far too noble to be suffered to pass quickly out of sight. And yet for how short a period are the traits of departed friends kept vividly in sight, even by those who truly loved them, when their preservation is intrusted only to the daily relaxing grasp of memory! The restless waves of busy human life, beating unceasingly upon our minds, soon erase, in spite of us, the most cherished recollections, unless they are gathered up and crystallized into some more permanent and abiding form.

It is for the purpose of thus arresting and preserving the memory of Mr. Daniel Lord, among those friends who really valued him, that this memorial has been prepared, and it is now presented in the hope that some sincere feeling of affection for him may give it, in the eyes and hearts of the few who will read it, an interest which it could not claim on other grounds.

Mr. Lord was born at Stonington, Conn., September 23, 1795.

His father, Dr. Daniel Lord, was a physician of fair professional abilities, but with a mind rather of a contemplative than of an active cast. He had a remarkably easy and uniform temperament, which nothing seemed to disturb, and which found expression in a genial and affable manner. His greatest enjoyment consisted in reading, and he was rarely without a book in his hands, a peculiarity in which he was afterward closely imitated by his son.

Mrs. Lord's maiden name was Crary. She was a native of Stonington, but her family afterward established themselves in New York, where at least two of her brothers attained influential positions as merchants. She was a woman of strong character and warm affections, which latter were all centred in her son, who, on his part, returned her love with equal devotion.

In 1797, Dr. Lord removed with his family to New York, where he soon acquired what might have become a very good practice, had he not voluntarily relinquished it too soon. He did not, however, withdraw from the profession until he had shown his high sense of its requirements, by remaining at his post and rendering his assistance fearlessly, alike to rich and poor, during the prevalence of the yellow fever, when it visited New York in 1798. His experience at this time gave him a knowledge of that disease, and of the received mode of treating it, of which his professional

brethren afterward often availed themselves. His life was, on the whole, a calm and even one, with no remarkable events to give it prominence. In connection with his profession, as was not unusual in those days, he carried on trade as a druggist, having his store in a part of the house which he occupied, and he continued this business long after he had abandoned the active practice of medicine. But he seems to have had no great capacity for affairs, and in his later years pecuniary reverses overtook him, so that he became in a measure dependent upon his son, who gladly shared with him the first fruits of his own well-earned success, and whose love and devotion cheered his declining days. He died in 1845, at the age of seventy-nine, and his wife survived him only two years.

Mr. Lord, the subject of this memorial, was an only child, and his early life was uneventful, though withal well fitted to develop the traits which afterward characterized him most strongly. His brotherless and sisterless home was never the scene of those merry sports which form the substance of most children's lives, nor did he ever know those gentle sympathies which often flow so freely between the younger members of a numerous household. He doubtless had companions of his own age at school, but his chief associates were his father, and his father's friends—men of years and experience, and sometimes of stirring adventure. The circle which frequented that hospitable home included men of many callings—merchants, physicians, sea-cap-

tains, and others—and, in the winter gatherings around that cheerful fireside, this young and lonely boy was always an interested listener. He thus early became familiar with maturer trains of thought than most children come in contact with, and his reflective mind found ample food for contemplation, in the subjects which were discussed, and the opinions which were stated, in his hearing.

Shortly after coming to New York, Dr. Lord established himself in a comfortable house on the corner of Old Slip and Water Street, where he continued to reside until it was destroyed in the great fire of 1835. New York had then just entered upon the career which has brought it to its present magnificence, and even the finest dwellings were found in the lower streets near the Battery, which are now wholly surrendered to business uses. Although, therefore, Dr. Lord made no pretensions either to wealth or aristocratic station, his residence was both more attractive and more respectable than could easily be imagined at the present day; and in after-years Mr. Lord used frequently to look back with many pleasant associations to that home of his childhood, of which nothing now remains but the place which it occupied, and a fading recollection of it in the minds of the diminishing few who knew it in its former state.

He went to school quite young, and there acquired the rudiments of an excellent education, embracing the classical languages and French, then the only

modern language usually taught as an accomplishment. To those who knew him only in later life, it seemed quite remarkable that he should be so thoroughly grounded in studies which he pursued only at this early period. He probably never studied French after entering college, at the age of sixteen, and during long intervals he did not attempt to keep up any general familiarity with the language. Yet even in the last few years of his life he read French books with great ease and pleasure, and throughout his whole professional career he was in the habit of consulting freely, as occasion required, the various French authors whose treatises have so greatly enriched the body of commercial and maritime law.

In 1811, he entered the sophomore class at Yale College, then under the charge of Dr. Dwight, for whom he acquired and ever afterward retained the highest respect. New Haven was then, in point of time, at a greater distance from New York than Boston is now, and we may well imagine that in thus leaving home, and making his first entrance into independent life, he passed through many sad and lonely hours. Yet it was here, after all, that he seems to have first found congenial companions, and before the close of his sophomore year he had formed at least two intimacies which were to last through life, and be handed down by inheritance to his children. One of these early friends, afterward a well-known citizen of Georgia, died but a few years before him; while the other, a resident of Philadelphia, still survives to regret his loss.

His career at college was highly creditable, and in 1814 he was graduated second in his class. It would lead us too far were we to enter into the details of this or any other single portion of his life. Indeed, sufficient material to do so hardly exists. Yet, among his papers was found, after his death, a short journal belonging to this period, which is full of characteristic traits. It commences with September 28, 1813, five days after his eighteenth birthday, and continues down to November 13, of the same year, when, for some cause, it was abandoned, as appears also to have been the fate of at least one predecessor, which has not been preserved. Yet the short glimpse which those few closely-written and time-discolored pages give of his daily occupations, and of his modes of thought and feeling at that time, is so vivid, and accords so well with the later developments of his character, that it fills the little narrative with interest. It would be difficult to select extracts where all is so good; but it may be fairly said that in this faithful transcript of his life, during the few months which it embraces—and it bears in itself ample proof of its conscientious fidelity—there cannot be found recorded one unseemly action, nor one unworthy thought, while it abounds in pure and noble sentiments and just reflections upon passing scenes and persons. *Nosce teipsum*—"know thyself"—is the motto under which it is written, and its searching criticisms upon his own motives and conduct show that the motto was not forgotten. Considerate toward others, he judged

himself severely, and did not scruple to confess to this confidential journal faults which the mere confession almost atoned for. He here gives us, also, an insight into his course of reading at that time, which embraced such books as Campbell's Rhetoric, Paley's Theology, Gibbon's Roman Empire, Chastelleux's Travels, Homer, Chesterfield's Letters, and the Vicar of Wakefield, with a little of Moore's and Falconer's poetry interspersed. These he read with discrimination as well as enjoyment, and his scattered criticisms upon each show a just appreciation of their differing merits. It also appears from this little diary that, although he had not yet become a professor of religion, he already regarded the subject with a reverence and consideration that foreshadowed a heartier adoption of its doctrines at a future day.

He seems to have had no hesitation in the choice of a profession, for immediately on leaving college he entered the law school at Litchfield, Conn., where Judge Gould was the principal instructor, although Judge Reeves was still the nominal head of the institution. Here he spent a year in theoretical study, and then returned to New York, where he continued his studies in the office of the late Mr. George Griffin, at that time, and for many years afterward, one of the most prominent lawyers of the State. He was called to the bar in 1817, and from that time until within two or three years before his death, when premonitions of disease compelled him to relax his labors, his life was entirely devoted to his profession.

On the 16th of May, 1818, he was married to Susan, second daughter of the late Mr. Lockwood De Forest, of New York, for whom he had formed an attachment early in his college course. He therefore entered upon his life's career, surrounded with all the great responsibilities—yet supported by all the still greater encouragements — of married life. The path that lay before him seemed both rugged and uncertain. He had chosen a profession which, though it accorded entirely with all his tastes, was one requiring immense exertions to secure success, and in which others could help him but little, if at all. Besides all this, his own circumstances, as well as those of his father, were such as would not admit of much waiting for fortune. He was already committed to the issues of life. The future of those he loved depended on him, and the consequences of failure would be very serious. But he gathered up his courage, and, recognizing fully his exact position, shaped his course accordingly. Gladly availing himself of his father's offer of a home with him, he brought his newly-married wife to the family dwelling. At first his practice was not sufficiently lucrative to enable him to contribute much toward the common support, but as his business increased he gladly assumed half the burden of the family expenses, which were very moderate. He remained thus situated for seven years, when his own increasing family made it necessary for him to seek an independent home for himself. After mature reflection upon

the propriety of making such a hazardous experiment, and after many a calculation of the cost, he hired a small house in Laight Street, near Canal, and moved into it with his family, which then included three children. This was in 1825. It was while he resided in this house that he met with the only bereavement in his own immediate family, which, during all of his long life, he was called to suffer. A little boy, who was born shortly after they had moved into their new home, died in the early autumn of the same year. The loss of one so young is, perhaps, the lightest form of such a sorrow, but those only can rightly appreciate its weight who have gone through similar trials. Upon Mr. Lord it left an impression which was never wholly effaced.

In 1828, he moved to another house, in Franklin Street, which he had bought, and where he lived till 1833. He then purchased a house in Beach Street, where he continued to reside till the winter of 1851, when he moved, for the last time, to the house in Seventeenth Street, where he died.

The house in Beach Street was commodious and well located in a very pleasant part of the city. St. John's Park, in front of it, with its well-kept grass and fine old trees, made it a situation of unusual attractiveness. The park itself, like many other similar landmarks by which the city's progress has been noted in its various stages, has yielded to the all-absorbing demands of commerce, and its trees have been cut down, its grass-plots and flower-beds destroyed, and its site covered

with a railroad depot. But things were far different at the time now spoken of, and many of the best families of the city lived in the adjoining streets. Mr. George Griffin, his preceptor and early guide, lived but a few houses off; Mr. Robert B. Minturn, a highly-valued friend, resided on the same block; and others of equal worth and position dwelt in the immediate neighborhood, and formed a circle of pleasant acquaintances.

It was chiefly while he lived in these last two residences that Mr. Lord began to realize the position to which his abilities and industry had raised him. These were the periods of his best efforts and his greatest professional achievements, and these were the homes where his family began to reap the substantial benefits of his success in the increased comforts and luxuries which his now established practice placed within his reach.

Prosperity had no injurious effect upon him. His habits of life never at any time either exceeded or fell below the limits of a judicious moderation. He enjoyed to its fullest extent the freedom from anxiety which comes with the possession of a competency, but he did not suffer the withdrawal of the absolute necessity for work to check the ardor with which he continued his accustomed labor. He had taken his profession for better and for worse, and whatever honors or benefits it procured for him only afforded a fresh stimulus to the more diligent and faithful pursuit of it.

It is not intended here to attempt any account of

his merely professional achievements. The record of so many busy years would carry us far beyond our limits, and the recital would unavoidably be dull and monotonous to all but professional readers. The life even of a successful lawyer, in a merely commercial community, though necessarily demanding and developing abilities of no common order, presents no salient points of interest which a biographer can lay before the general reader with acceptance. There are, it is true, battles fought and victories won; there is an abundance of skill and ingenuity and mental alertness displayed; and there are moral qualities called forth—sometimes in striking contrasts—all of which might justly challenge admiration. But those only could rightly appreciate such exhibitions of character and ability who were themselves familiar with the contests of the forum, and who knew by experience something of the many unexpected dangers and unhoped-for deliverances through which almost every important litigation makes its way to victory or defeat. It is, therefore, unwise in a memorial like the present, which, moreover, professes to delineate personal traits alone, to enter upon so broad a field, where so few could satisfactorily follow. To those who were his contemporaries at the bar, their own recollections will supply the best description of this portion of his career; and, for those who shall come after him, the published reports of the cases in which he took part will, so far as any thing can, keep alive his memory in professional circles.

Success came slowly, and the few years immediately following his marriage were thickly interspersed with periods of discouragement, if not of absolute despondency. He was young, modest, and retiring. He had no friends to aid him at the outset, when their assistance would have been most welcome. A family began to grow up around him, and anxiety for their future support added to the burden on his spirits. Yet it was not till nine years after his admission to the bar that his name for the first time appears in the Reports of the Supreme Court, in connection with a rather insignificant motion, and not till thirteen years after the same event that he made his first argument in the Court of Errors. This long period of waiting must have been doubly trying to a young man just starting in life, with no friendly hand to help, nor any bright prospects to cheer him. But none of these things were permitted to check for a moment his industrious pursuit of professional learning. Each morning brought its, often self-appointed, task, and when the evening came it found the task accomplished. Every subject which he investigated was sifted to the bottom, and each legal principle was carefully traced out in its collateral as well as in its direct bearings on the subject in hand. And thus he went on through those years of patient though often disheartened labor, steadily growing in ability for future action, and laying up stores of legal knowledge, which were afterward turned to good account.

Such habits of faithful application, coupled with the mental and moral powers which he possessed, at length began to win their appropriate rewards. Success in the conduct of those less important litigations which fall to the lot of a young lawyer procured him new clients, whom his personal qualities soon converted into friends, and, his abilities proving equal to each larger trust that was committed to him, he gradually worked his way into the front rank of his profession, at a time when the bar of New York was made illustrious by the presence of men whose names will ever be conspicuous in the history of American jurisprudence.

In 1826—the same year in which he made his first recorded appearance in the Supreme Court—he argued there his first reported case, which came before the Court on a writ of error from the New York Common Pleas. Mr. John Jacob Astor had sued Mr. J. Q. Aymar to recover for injuries caused by rats to certain bear-skins which had been shipped by him in one of the latter's vessels from New Orleans to New York. Mr. Lord defended the case on behalf of Mr. Aymar on two grounds—first, that, by the custom prevailing both at the port of departure and at the port of destination, "*rats*" were "*perils of the sea*," and, as such, excepted in the bill of lading; and, secondly, that ship-owners were not common carriers in the strict legal meaning of the term, with liabilities extending beyond the rule of ordinary diligence. The defence was sustained, and, although a writ of error was again sued out upon the

judgment, before the case came up for further argument, the controversy was settled. The doctrines established in this case, at least that embodied in the second point of the defence, have been since overruled, and the decision is not now considered good authority. This, however, was the first intercourse of any kind between Mr. Lord and Mr. Astor. Less than three years after this—a period in which Mr. Lord had been steadily growing in the confidence of the mercantile community—Mr. Astor retained him in a matter which required prompt attention. Thus began a business connection and a personal friendship between them, which continued until Mr. Astor's death in 1848, and which it may be fairly said was characterized by implicit confidence on one side and by tried fidelity upon the other. By this time his abilities began to be recognized, and other clients, who were also to become life-long friends, began to come to him. Little by lit tle his prospects brightened, until his position became fully assured, and his success was no longer a question; but it may be safely said that the first ten years of his professional life was a time rather of preparation than achievement, and one far more thickly filled with discouragements than with successes.

During this period of his early struggle, although engrossed in the labors of his calling to such an extent as to leave him little time for domestic enjoyment, his influence was not lost in the family circle. However much oppressed with the heavy professional responsibilities which rested on him, he was always cheerful

at home, and his presence was a stimulus to all healthful family enjoyment. He had, in a wonderful degree, the faculty of maintaining a bright and even demeanor, and his playfulness was often the subject of remark by strangers, who had formed their estimate of his character only from a knowledge of its more public exhibitions. Yet, playful as he was, and always gentle and affectionate, his home was the scene of his severest labor and his most unremitting industry. Work was as natural to him as play, and his evenings at home, as well as his days at his office, were spent in examining authorities, and drawing papers and preparing briefs for his numerous cases; and it was by such exertions—continuous and unflagging—that he finally attained distinction.

The position which he won by these well-directed efforts was never lost by inattention or neglect. In his daily contests in the courts he was often defeated, but never unprepared, while the singular uprightness of his character, ever keeping him from any attempt to impose on either court or jury, added to the weight of his opinions and arguments, and rendered him at all times a formidable opponent. He was intolerant of all deception and chicanery either in himself or others. No one could ever accuse him of attempting to "make the worse appear the better reason," and he reaped the legitimate reward of his sincerity in gaining the entire confidence of those whom he sought to influence by his logic. He never even condescended to employ any of

those specious and plausible, but sophistical arguments, which lawyers so often resort to when they have no sound ones at command, and both his clients and the courts soon came to understand that, whatever views he expressed on any subject, were the result of true conviction as well as mature thought.

He had not the gift of oratory in the usual acceptation of that term, but in presenting his cases he felt and showed an earnestness which told most powerfully upon all honest minds, and often kindled into real enthusiasm. No one could ever listen to him without feeling that he believed fully in the justice of his cause, and in the soundness of his own arguments, and he reënforced the earnestness of his manner with such attractions as a refined taste and a finished education could alone supply. And thus he performed his work—implicitly relied upon by those who employed him—distrusted by none with whom he came in contact—and known by all men for a sincere lover of truth and justice.

His public life was purely professional,—once only he was a candidate for the State Senate, and was defeated. Twice, however, he was invited to a seat on the bench—each time by appointment to fill vacancies —one in the Supreme Court in the first district, and one in the Court of Appeals. On each occasion he declined the appointment, not from any sordid motives—as all will believe who ever knew him—but from a deep-grounded distrust of the plan of an elective judiciary, then recently adopted in New York,

and from a consequent unwillingness to be in any manner connected with the system. His reputation, therefore, whatever it may have amounted to, was simply that of a lawyer. It borrowed nothing from the prestige of conspicuous position or official authority. It was bravely fought for and fairly won in an arena where learning and skill alone could secure the prize, and diligence and fidelity alone retain it. The fact, therefore, that his name was so widely known and respected, not only among his immediate associates, but in other portions of the land, is a sufficient proof of his conspicuous talents.

It is not in the nature of things for any private professional reputation long to survive its possessor in the minds of men—and this is especially true in the case of a lawyer, whose best efforts are rarely preserved with fidelity and are often not even alluded to, in the books of Reports, which are intended chiefly to record the decisions of the court. Yet if there is any truth at all in the theory of the Bar as a separate body, it is plain that the arguments of counsel must do much toward influencing the opinions of the Bench. The influence so exerted may be afterward forgotten, or left in the background, yet, in each successive case that is determined, it exists and does its part as a great power either for good or evil, and helps to give shape and character to the ultimate decision. Indeed, it often happens that arguments of counsel, which have passed unnoticed by the reporter, may be recognized in unmistakable fea-

tures showing through the opinions of the court, and thus, though the ingenious originators of those arguments may themselves pass quickly into oblivion, their work remains in an abiding form. So it will doubtless be with Mr. Lord. His influence will long outlive his reputation. Coming to the bar at a time when American jurisprudence was just beginning to assume its present independent position, he helped to establish many doctrines which, though now admitted as forever fixed, were then uncertain and without authority. In some departments he was an acknowledged leader, particularly in commercial and insurance law, and the mercantile community will long be governed in some of its most important interests by principles and methods for which they are indebted to him.

But Mr. Lord's influence as a lawyer was fully equalled by his influence as a man. Few men in this community have ever succeeded in gathering about them such a circle of friends, or in exerting over them such power, as he did. Only the pure and the true found places in that group, and to all such his thoughts and character and conduct commended themselves with impressive force. To most of his friends he occupied the position of confidential adviser, which gave unusual weight to his opinions, without any assumption of authority on his part. Yet his influence came not by force of assertion, nor did it always operate by direct methods. He was fearless in defending truth or attacking falsehood when occasion demanded, but to those

around him he dealt less in precept than in example. He led others to do right by showing them in his own conduct the dignity and beauty of rectitude, and no one, who had any just apprehensions of right and wrong, could associate with him without feeling his principles braced and strengthened by a sort of magnetic sympathy. This was particularly observable in his family, where there would naturally be the greatest opportunity, as well as the greatest call, for a personal impression of such a kind. No man was ever more promptly obeyed, nor more truly loved at home, and the reason was that he never exercised his parental authority in any oppressive or irritating way, but sought to make obedience a pleasure as well as a duty. No little exhibitions of selfishness or inconsiderate harshness on his part ever checked the outflow of affection toward him. The laws of that household were the wishes of its united head, and love rose upward, because it had first flowed down. There were no stern prohibitions,—no peremptory commands,—for none are needed where the parents present to their children studied examples of considerateness and self-control; and so, thanks in a great degree to his influence, that family circle was always a happy one. Warm and kindly feelings circulated freely and bound all closely together. Each new-comer was heartily welcomed by all the rest, and soon caught the pervading spirit of self-negation and thoughtfulness for others which he had infused into all hearts. And, as the circle widened still farther to admit the represent-

atives of a second generation, his love found places for them all. He had no greater pleasure than to lavish his affection upon those little ones who must, in the nature of things, so soon outlive the recollection of him; and it would be, indeed, a grateful thing to the writer of this brief sketch, if it could only serve to keep alive his memory a little longer in those youthful minds.

But it was not alone toward those who were thus nearly connected with him that he was thoughtful and considerate. Every faithful servant and dependant secured his friendship. He advised them in prosperity, and assisted them when in trouble, with the relish of a true benevolence, and, if a fair test could be applied to the feelings of those who survived him, it may, perhaps, be questioned whether, outside the limits of his own family, his most sincere mourners were not to be found in the humbler walks of life. No one ever knew, or will know, the many acts of kindness and liberality which he performed to those who had no claim upon him; nor was he in any measure discouraged, or tempted to forego the exercise of his benevolence, by finding, as he sometimes did, that it had been bestowed on unworthy objects.

He was always a most sympathizing and helpful friend to the young. There was something highly attractive to him in the earnest efforts of a well-meaning young man, especially one of his own profession. It was a spectacle which recalled to his memory his own early struggle, and his time, his experience, and his

ingenuity were always at the service of those who in such circumstances applied to him, as many did, for friendly encouragement and assistance. Nor did he dim the lustre of those friendly actions by assuming any air of patronage or superiority. On the contrary, his manner, at once warm and sympathetic, plainly showed the pleasure which he felt in doing the service.

He was extremely simple in his tastes and habits, and it was one of his most striking traits that he was unwilling to have any one do for him what he could by any means do for himself. He always made his own minutes of testimony, kept his own books of account, and often copied his own papers, although all of these services would have been gladly rendered by others, if he would have allowed them to do so. These peculiarities were partly owing to his extraordinary capacity for attending to details without neglecting more important matters, but they were also partly due, and perhaps in an equal measure, to this impatience of being waited upon. He was systematical in the arrangement even of trifles. The articles on his library table were never misplaced; the papers in his pigeon-holes were always in order; his drawer contained for years the same penknife, seal, and pencil, and always in the same corner; and his little pocket diaries, filled with the brief memoranda of his busy life for five-and-twenty years, were, after his death, found carefully preserved and arranged in succession according to their years. The same habits of system and order could be observed in all the opera-

tions of his intellect. His thoughts, instead of floating at random through his mind, fell naturally into logical sequences, which aided his memory in retaining them. And thus whatever he had once acquired was kept ready for immediate use, and always in the most available form.

At the time when he commenced the study and practice of his profession, the law was still encumbered with many fictitious and cumbersome forms which have since been abolished. The old rules of practice, both in the courts of common law and in chancery, were still in full use; the complicated system of feudal tenures had not been displaced from the law of real estate; and the rules relating to the competency and admissibility of evidence had not yet been simplified and curtailed, as has since been done by recent legislation. Yet, in all these departments, his habits of discriminating study and methodical arrangement enabled him to excel. He was a most expert and accomplished practitioner, and rarely made a slip in the use of those complicated forms through which alone Justice could then be approached. He was as thoroughly versed in the law of real estate as in other more attractive branches, and his skill in handling and applying the rules of evidence is best illustrated by his success in the trial of cases.

Although deeply read in the learning of his profession, he believed in fixing the attention chiefly on a few comprehensive books, which should be thoroughly mastered. Coke upon Lyttleton, Fearne on Contingent

Remainders, Sugden on Vendors, Blackstone's Commentaries, Chitty on Bills, Abbott on Shipping, Parke on Insurance, Chitty's Pleadings, and Tidd's and Archbold's Practice, were the works on which he most relied, and with these he was thoroughly familiar. From them he gathered the general principles which controlled the subjects to which they related, and which guided him in forming his first impressions of any case. But, when nice distinctions were to be drawn, or unusual applications made of ordinary legal doctrines, he was most diligent and untiring in the search for authorities, and conscientiously explored every book and examined every case which could shed light upon the subject which he was investigating. And thus his clients found in him at once a safe adviser, and, if occasion required, a zealous and skilful defender.

But his reading was not confined within the limits of his profession. On the contrary, it was of a very wide and varied character. He was familiar with the ancient classics, and enjoyed them deeply, and there were few books in English literature, of any value, which he had not read with care and discrimination. He almost always had a book of some kind in his hand, and for nearly thirty years was in the constant habit of reading for two or three hours every night in bed. This custom, which he was at last compelled to abandon because of its effect upon his nervous system, had been forced upon him as the only available means at his command by which he could divert his

mind, in those silent hours, from the pressure of his professional anxieties. But it enabled him to cover an extensive field of reading which he could never have found time for in the busy hours of daylight.

These were some of his most prominent characteristics, but his life would have been incomplete if his professional career and his amiable personal traits alone afforded material for eulogy. Such was not the case. The uprightness and truth which illustrated his character as a lawyer and a man were the outgrowths of a true Christian faith, adopted in the prime of early manhood and matured and ripened with the reflection of advancing years—a faith which bore fruit in Christian labors and a Christian example, and which at the last sustained him calmly as his end approached. His life was governed by consistent principle, which steadied his course from its beginning to its end. He shunned even slight deviations from the path of duty, however they might be sanctioned, or more or less excused by worldly custom: and it is, perhaps, a noticeable fact that, with all the pressure of his hurried life, he never permitted himself to labor on the Sabbath—still less to spend the day in idle or frivolous amusement. Although from boyhood he had displayed a reverence for sacred things which betokened a serious and thoughtful mind, it was not until he was thirty-seven years old that he became a public professor of religion. But, when he did enter upon the path of Christian duty, it was with an unfaltering step. He at once assumed all the responsibilities

of his new position, and endeavored to meet its requirements with all the earnestness and fidelity of his nature. In 1833, he united with the Brick Presbyterian Church, then under the charge of the Rev. Gardiner Spring, D. D., and in the following year was elected a member of its Session, in which connection he continued until his death, bringing to the discharge of his duties as an elder a spirit of great conciliation, as well as the best abilities at his command.

His Christian character was one of mature growth, such as results from a union of warm feelings with broad and enlightened views. He took almost equal pleasure in devotional books and in those which expounded the theoretical doctrines of Christianity, and thus, while his emotions were always quick and glowing, he was also ever prepared to defend his faith with solid arguments. The inevitable absorption of his time in his professional pursuits prevented him from taking a very active part in the current benevolent and religious enterprises of his day; but, whenever an emergency arose in which his practical wisdom, or his unflinching courage in opposing error, could avail the cause of truth, he stood always ready—and was often called upon—to do his part. And on all such occasions he brought to the work a spirit of meekness and moderation which calmed him even in the heats of controversy. He never forgot that, while good men might—and often must—differ in their views, they should never give way to bitter wranglings, nor lose sight of the truth in

the pride of self-assertion. And thus his counsels were not only wise but safe; and his loss was felt in many quarters where the weight of his influence had been relied upon in every time of trouble and perplexity.

For several years before his death, there had been indistinct threatenings of paralysis which justly alarmed the members of his family, and which led him reluctantly, but gradually, to withdraw from his much-loved profession. He was not wholly insensible to these warnings, but he possessed a wonderful faculty of refusing to dwell upon evils that he could not avert, and he succeeded in maintaining his cheerfulness in spite of many dark forebodings. But his malady made steady though measured approaches, and he himself doubtless soon began to realize, what had been from the first apparent to all around him, that his disease was a fatal one, and that the final issue could not long be delayed.

Under these circumstances his spirit became if possible more subdued and gentle, and the graces of his Christian character gathered even greater lustre than before. The summer of 1867, which preceded his death, was one of great anxiety to his family, and they entered upon the winter with sad anticipations of coming sorrow. All went well, however, until the new year had begun—a year that to others was to bring its completed months of chequered joys or sorrows, but only a few short days of suffering to him. A trifling professional effort made early in January, which in his years of vigor would never have stirred his pulse or left a trace

of weariness upon his frame, appeared to give a new impetus to his then slumbering disease, and from that time his system seemed to lose its balance, and his bodily functions began to fail. It was a most painful thing, for those who so deeply loved him, to see this physical change come over him, while his mental powers, with all their acute perceptions, remained untouched. But his own courage did not desert him, for it was founded on never-failing supports. He was deeply affected at times by thoughts which he could not entirely drive away, but he fell back upon the consolations of religion and they upheld him. Those who gathered with him at family prayers, one Sunday evening but a few weeks before his death, will never forget with what a subdued pathos he read, and remarked upon the beauty of those verses of the seventy-first Psalm:

"Cast me not off in the time of old age, forsake me not when my strength faileth.

"Now also when I am old and gray-headed, O God, forsake me not."

They were plainly passages which had been often in his mind of late, and the force of which he felt most deeply as his years seemed drawing near their end.

It would seem almost a desecration to dwell much upon the closing scenes of his life. The deep experiences and trying struggles which, even for the pure and good, hang around the hour of parting from loved ones on earth, are too sacred to be held up to the gaze of any but

those who have perforce participated in the sorrow, and whose memories can best recall to them those mournful scenes. But, were we to lift the curtain for a moment upon any part of that sad month which preceded his death, we should find him always, as it were, in a hallowed atmosphere, surrounded with all the truest affection that faithful hearts could bestow, and upheld by Christian consolations and Christian hopes. The dreaded hour came at last. Up to within a few days of the final moment, his mind was clear, and he was able to communicate with those who hung around his bedside. But, as the last drew near, his faculties began to lose their power, and consciousness succumbed. Yet, when the change came upon him, a placid calm seemed to steal over his features, and peace and rest were plainly written there. He was in a great measure spared the dreadful agonies of mind and body which so often accompany his disease, and at the last life seemed to sink away from him as quietly as the last sands drop through an hour-glass.

On the morning of March 4, 1868, it was apparent that that day would be his last. All remedies had lost their power, and naught remained but to await in patient resignation the long-apprehended moment. Once in the early forenoon he sank very low, but again revived to nearly his former strength, and continued through the hours of daylight with but little change, except that his respirations grew gradually quicker and fainter. At last the night came on, spreading its cur-

tain across the sky, and casting its shadows on that upper room where loving hearts were throbbing in silence at the thought of the long parting. A little group, where none were absent whom he would have wished to see, could his eyes have opened, nor any present who could not call him "husband"—"father," sat sad and sorrowful within the sound of his short, quick breathings, as he lay motionless upon his couch. From time to time one of the number would approach the bed to gaze once more upon his serene but pallid face, or in helpless affection to render some service which it was hoped might give him some relief, but it was evident that all earthly help was unavailing, and that the King of Terrors was at hand. At about nine o'clock a few convulsive gasps gave signal that the end was near. Quickly and silently the little circle closed around him, and then when all was hushed and still, save the sobbing which he could not hear, he gave one struggle more and breathed his last, surrounded by all whom he held most dear on earth, and whom he most would wish to meet in heaven.

Death found him well prepared. His peace had long been made with God, and when the summons came, it was to call him from a life of useful toil below, to an eternal rest above.

New York, *December* 15, 1868.

Note.—Within less than a year after Mr. Lord's death, his third living son, James Couper Lord, died very suddenly, and it seemed almost a sacred duty, as well as a sad pleasure, to add in an Appendix, which will be found at the close of this Memorial, some notice of him in connection with his loved and loving father.

FUNERAL CEREMONIES;

MARCH 7, 1868.

On the morning of March 7, 1868, at ten o'clock, the near relatives and most intimate friends of Mr. Lord assembled at his residence, to accompany his remains to the Brick Presbyterian Church, where the principal ceremonies were to take place.

The following gentlemen acted as pall-bearers:

Mr. James Brown, Mr. William B. Astor, Mr. Richard Irvin, Hon. Michael Ulshoeffer, Hon. William M. Evarts, Mr. Gardiner Spring, Jr., Mr. John Taylor Johnston, and Mr. J. Treat Irving.

When the company had all collected at the house, and before they set forth upon their mournful procession to the church, the Rev. Charles Hodge, D. D., of Princeton, a warm and highly-valued friend of the deceased, read a few passages from the 14th chapter of St. John, and made some touching and impressive applications of them to the persons present, appropriate to the occasion which had brought them together.

The Rev. Gardiner Spring, D. D., also offered a fervent prayer.

It is greatly to be regretted that, owing to the

strictly private character of these ceremonies, no person was present who could preserve such a record of them as might do justice to those by whom they were conducted. Those who were there and heard what was said, will feel that this memorial has suffered much from the omission of that portion of the services; but, although an effort has since been made to obtain at least some outlines of them, the "winged words" have fled away, never to be recalled.

When the procession reached the church, it was already crowded from floor to gallery with those who, in respect for the dead and in kindly (and most gratefully appreciated) sympathy for the living, had gathered to attend the ceremony. As the bier was borne across the threshold into the church, where the deceased had so often listened to the solemn words of truth and joined with others in public acts of worship, the choir sang the solemn anthem adapted to those words from the 14th chapter of Revelation:

"And I heard a voice from heaven saying unto me, Write, Blessed are the dead which die in the Lord from henceforth: Yea, saith the Spirit, that they may rest from their labors; and their works do follow them."

After the anthem, the Rev. W. G. T. Shedd, D.D., read from the Scripture, John xiv. 1–21, and 1 Cor. xv. 35–38; after which the following addresses were delivered by Rev. J. O. Murray, D. D., Associate Pastor of the Brick Church; Rev. William Adams, D. D., Pas-

tor of the Madison Square Church; and Rev. Gardiner Spring, D. D., Senior Pastor of the Brick Church.

ADDRESS OF REV. J. O. MURRAY, D.D.

Our Christian faith should not stand—it does not stand—in the power of men, but in the wisdom of God. Not many mighty are called. Above all else, the Saviour exalted the childlike spirit. His gospel sets its approving seal on the passive virtues. "Thus saith the Lord, The heaven is my throne and the earth is my footstool;" "But to this man will I look, even to him that is poor and of a contrite spirit, and who trembleth at my word." Yet it pleases God, in His faithful care of His Church on earth, to raise up for it men who bring to the support of Christianity all the influence of high and commanding intellectual powers —of high and commanding position. And when, in His wisdom and goodness, such gifts in such men are bestowed on His Church, it is most fitting that their death be made the occasion of some sincere and grateful commemoration of their Christian virtues and usefulness. It is in this spirit and for such ends, that the present service contemplates a very brief survey of the honored and eminent life, which for so many years has been in the public eye. Especially at a time when the Church of Christ has fallen on an age of unbelief, in which many are drifting away from the old moorings of faith to sad shipwreck, it is a sacred duty to mark the

example of such distinguished minds as walk in the ancient paths, and hold their faith in the full exercise of such mental qualities as have been attributed to one of the greatest English jurists; the qualities of a mind "eager in search, patient of doubt, fond of meditation, slow to assert, ready to reconsider, careful to dispose and set in order, not carried away either by love of novelty or by admiration of antiquity, and hating every kind of imposture; a mind, therefore, especially framed for the study and pursuit of truth."

Daniel Lord was born in Stonington, Connecticut, September 23d, 1795. He was an only son, of very slender and delicate frame, remarkable in boyhood for his filial virtues, which, indeed, throughout the life of his parents, were always in constant and beautiful exercise. That boyhood was distinguished for thoughtfulness far beyond his years. In his father's house, he was thrown into the society of some of the prominent merchants of the city, then young men. He was accustomed to attribute his fondness for important subjects of thought to the early impressions made on him by the discussions, of which he was an eager and attentive hearer.

At one time, indeed, it seemed likely that he would enter upon commercial life; but his native taste for study prevailed, and he entered on a course of academical training in this city; was admitted to Yale College, from which he was graduated, with very high honors, in the class of 1814, numbering 82; from which,

too, in 1846, he received its highest literary honors in the degree of LL. D. Like all the high-minded and promising young men who were under the influence of President Dwight, Mr. Lord always spoke most reverentially and gratefully of this influence.

The Baccalaureate discourse of Dr. Dwight, preached to the class of 1814, was a discourse on the "Love of Distinction." It is full of clear and strong discriminations, and one which, while fitted to stir every noble aspiration in a young man, was admirably adapted to guard such against the dangers of a low and false ambition; to lead him to eschew all false methods of success in life; to found all efforts after honorable distinction on the highest principles of morality and religion. Its closing appeals to the class to seek the esteem of their fellow-men; to seek the approbation of wise and good men; to seek the approbation of their own minds and consciences; to seek the approbation of God, are all illustrated in the subsequent career of the eminent jurist. Such testimony to his worth as filled all our courts when tidings of his death reached them, given by those who testified what they had seen, that his services in the administration of justice had been marked by all of ability, of integrity, which distinguishes the profession of the law; that no man ever lived in the profession of whom it could be more truthfully said that he never did an act which could in the least bring a blemish upon him; that he aimed as much to make his profession distinguished for learning and integrity

as for his own fame; that he reflected honor upon it, winning for himself the credit of being what he was, an honest, faithful, zealous, able, and honorable lawyer; such testimony to the truth that his eminence in this city was won by the strictest adherence to the highest principle of success, would lead us to suppose that the farewell teachings of his venerated president had never been forgotten.

His professional studies were pursued partly in this city, in the office of Mr. George Griffin, and partly in the law school of Judge Reeves at Litchfield, Conn., then in the height of its fame. During his residence there, he came under the pulpit teachings of Rev. Dr. Lyman Beecher, and always spoke of them, not only in terms of highest admiration, but of deepest gratitude. He was admitted to the bar in this city in 1817, and, as we have been publicly assured by one of his students, himself eminent in his profession, "for fifty years of distinguished professional life, has done good service to the interests of justice and the advancement of truth."

In his pocket diary for this year, he had transcribed from the sermons of Dr. Robert South two short sentences, which are the key to much of his most useful and honored life: "Doing nothing, naturally ends in being nothing," and, with this preface from himself, "I think a greater truth than this cannot well be uttered," he quotes again one of those sententious, incisive passages which abound in the writings of South, that "never any thing or person was really good, which was only good

to itself." Not only is his career a most signal illustration of how much wide usefulness and high position depend on enthusiasm in the chosen pursuit of life, not only is it an example of most unsparing and rigorously conscientious fidelity to every interest, small or great, intrusted to his keeping; it is also an example of very broad and generous culture outside his immediate professional studies and pursuits.

That he was learned in his profession, his standing for so many years among the foremost lawyers of the nation shows. But he was learned on a great variety of the subjects of human knowledge. All great movements in the world of thought arrested his attention; especially movements in religious thought. He was a careful student of Christian theology, and had become versed in all the modern phases of speculative opinion. To the last, Pascal's Thoughts was a favorite volume. It was to him for theological reading what Archbishop Leighton was for devotional.

It is, however, of his Christian life and services that it is most becoming in me to speak. Religion, indeed, owes a debt to the legal profession—the pulpit to the bar—which should be readily acknowledged; not only as the high-minded and eminent jurist keeps before the minds of men the great idea of law, a binding moral force, which the very word religion in its etymology suggests; but as such a man helps to preserve the true order and stability of society, in which Christian institutions have their best growth. His services, however,

to the Christian Church were far more direct than this, and were rooted and grounded in a consistent Christian life.

In his early years he was exposed to the influence of skeptical opinions regarding Christianity. Saved from these poisonous influences, he did not leave the teachings of Dr. Dwight without having the strongest and most abiding religious impressions. These were strengthened during his attendance upon the ministry of Dr. Beecher. He examined the evidence of Christianity as other great jurists before him have done, and has given to the Church his living testimony that these evidences are such as compel belief. When Greenleaf's Evidences of Christianity was published, he wrote a review of it for one of our religious journals, which review was afterward prefixed to the English edition of the book as its best preface and introduction.

It was not, however, till October, 1833, that he made any public profession of his faith, though for years before he had meditated taking the step, and was only withheld from it by that habitual caution which was a marked trait in his whole Christian character and life. But, hearing a sermon repeated from the senior pastor of this church, on those most touching words of Ruth to Naomi: "Thy people shall be my people, and thy God my God," a sermon which on its first hearing had not apparently been followed by any peculiar thoughtfulness, but which on its second hearing, accompanied by the special influences of the Holy

Spirit, wrought powerfully on his convictions, he came to a full and immediate decision to confess Christ before men, and was received into this church by Dr. Spring. He was very soon after elected and ordained an elder in the church, receiving ordination to this office in December, 1834.

From that time to the time of his death, the session, and this church through its session, has enjoyed the benefit of his most wise Christian counsels. The whole method of his life being conservative, the whole structure of his character, and development of his mind being built on this as a Christian philosophy of life, he brought it to bear on all the official duties of his eldership. To him it is principally owing, that a rule which has governed the actions of this session for many years, has come to be recognized as a fundamental principle in its action. He always counselled postponement of measures which would have been carried through only by a divided vote; believing that "they also serve who only stand and wait;" he sought earnestly and consistently for harmony; held most profoundly that the successful work of a church was carried on only in a spirit of Christian unity, and so labored as well as prayed for the peace of Jerusalem. Very soon after his connection with the church, he engaged in active Christian work; was chosen superintendent of the Sabbath-school; and brought to his labors there the same conscientious fidelity, the same laborious preparation, which distinguished him in all his professional toils.

During all this period it was his practice to meet the teachers on Saturday evenings, and in a series of Biblical studies to furnish them for their work. These efforts were only laid aside when the immense labors of his profession made the rest of the Sabbath absolutely essential to him. Indeed, this side of Christianity—its relation to the young in God's covenant with believing parents—always enlisted all the deeper Christian feeling in Mr. Lord. Together with Mr. Webster, he recognized and loved to recognize its power over the Christian household. His rare kindness of manner, his contagious cheerfulness, his heartiness of sympathy, at once drew young people toward him, and made them feel the power of cheerful Christian life.

On September 20, 1852, when the rooms of the New York Young Men's Christian Association were opened, he was asked to deliver the address. "Who that pretends to a sympathy with human welfare or progress, shall refuse to address a society of young men?" are its opening words. "Having passed through the trials of early life, not having forgotten its hopes and fears, its discouragements and successes, its joys and sorrows, how shall one refuse his sympathy, and the expression of it, to those who are entering on the same field of action, of struggle, success, or disappointment?" Words could not possibly convey a more discerning appreciation of the perils which beset young men in a city, nor a truer and readier sympathy with them in this fearful exposure. His confidence in the power of

this Association to attain its ends is expressed as lying in the open and avowed and professed Christian character of its aims and methods.

To this church, I need hardly say, he brought, and for it he cherished, the most devoted attachment. Its welfare was always near his heart. A worshipper in its sanctuaries for half a century, a member of its communion for thirty-four years, in its session for thirty-two, he has left here only the most exalted memories of pure and growing Christian character and Christian usefulness. The sense of our loss is most oppressive now. But only the future occasions on which his counsels and influence will be needed, will fully make known to us the extent of our bereavement. In the early days of our Presbyterian history in this city, there was well known what is called the great triumvirate of Presbyterian lawyers, Scott, Livingston, and Smith, for whose character and fame Mr. Lord always expressed the deepest admiration. With their fame as jurists lives also their memory as earnest and devoted Presbyterians. In these respects Mr. Lord was a worthy successor to their position, and he has departed to join them in the heavenly glory.

Yet he ever recognized a sphere of Christian activity outside his own church, his own denomination; was a friend to the great causes of Christian benevolence, judged always for himself as to their utility; did not give them his support till he was well persuaded they were founded on just principles, and for worthy and

large ends. Thoroughly devoted to the faith and order of the Presbyterian Church, he held these convictions in no narrowness; was catholic and warm-hearted toward the whole Christian family. Among his latest expressions was one which showed that he recognized, in churches deemed by him as widely departed from the true faith, the existence of many true children of God.

The daily beauty of his Christian life could be known only by his most intimate associates, for he was reticent concerning its inward experiences; held them so sacred, and was withal so cautious, that he seldom brought them to any one's notice. He disliked all display of religious sensibility, yet when its manifestations were genuine and appropriate, no heart more warmly responded to it than his own. Amid the sanctities of his own domestic circle, in Christian influences subtly thrown around the hearts of his children, and never by any method of direct appeal or prohibitions, the power of his serene and strong faith most manifested itself. His beautiful domestic character was all refined and elevated by his Christian life. Of nothing was he wont to speak with more feeling than the Divine goodness to him in his own household, which, for fifty years, had only once known the sorrows of a death, and that the loss of a very young infant; and which had allowed death to come only once into the circle of his children's children, all growing up around him. It was to him a delightful view of the Christian sanctuary that it gathers its congregation for the worship of God by households.

It was also a marked feature in his Christian life, that its tone was always cheerful. What he said to the young men of this city, he had long recognized as his own rule in life—"Cheerful joy is a sacred duty." He had very great power of banishing from his mind any subject which was annoying to him; yet it was evident that his habitual cheerfulness, especially in his riper years, was the fruit of a principle, and that, of rejoicing always.

Blended with this trait was that of the deepest reverence toward God. He had eminently the spirit of adoption. Toward his heavenly Father his tone was most filial. His spirit here was childlike. He expressed dislike to mural tablets in churches, because they intruded thoughts of man where should be only thoughts of God. During the past winter he was engaged with others of the session in collating a selection of hymns for our use in worship. It was evident to those associated with him in this duty, not only that he engaged in it with the heartiest zest, but that the two classes of hymns which impressed and filled his soul were either those which breathed the profoundest adoration for God in His sovereign greatness, or those which breathed the simplest and most absolute reliance in Christ's atoning sacrifice. To this Christian doctrine of atonement, and to it in its fundamental character as a substitution, he not only gave the most absolute adherence, but it formed a centre around which, in later years at least, his thoughts revolved much. It invested

the sacrament of the Lord's supper with such a meaning that, whenever he mentioned it, this ordinance evidently stood as the centre and source of most sacred and tender religious hopes and joys. He had the feeling that the Transfiguration of Christ hardly held in Christian thought the place it deserved. Yet in this he singled out as its predominant feature the prophecy of our Lord's passion, when He spoke with Moses and Elias of the decease He should shortly accomplish at Jerusalem.

It was, however, in the last few years of his life that he seemed to be most fully engaged in religious things. Admonished, several years ago, that his health required an instant abandonment of the more onerous duties of his profession, he complied with the advice. But to turn from the calling he so deeply honored and loved, cost him a sore struggle. It was done, however, gradually. He bowed to the will of his heavenly Father with an unrepining heart, and entered on what may be called the Sabbath evening of his life. He gave more of what he was wont to call his "enforced leisure" to the service of the Church; evinced to the last a deepening interest in her welfare. From indications gathered from entries in his pocket diary, it would appear probable that he had anticipated sudden death. But it came not so. His last attendance in this place was at a sacramental service on the first Sabbath in February. A few weeks previous, he had argued a motion in the Supreme Court chambers, not indeed his last professional service—one

of a more private nature being performed so lately as the first day of February—but the argument he then made seemed to precipitate the attack of insidious disease. His outward man perished day by day, but his mind remained clear and active to the last conscious moment. He expressed, when to express it cost him the sorest struggle through weakness of utterance, the unshaken confidence of his soul in the care of his Saviour. "We know," he said to those about him, "we know we shall not be deserted; no, not in our last moments." He was evidently taken by no surprise.

For many months, the text of Scripture which had been most in his thoughts, which he repeated frequently, sometimes in wakeful hours when it was to him literally a song in the night, was, "Precious in the sight of the Lord is the death of his saints." Taking down his Bible for family worship not long since, his eye lighted on that verse of the 71st Psalm: "Cast me not off in the time of old age; forsake me not when my strength faileth." He dwelt on the great pathos and beauty of the prayer, and then spoke of the Divine goodness which was so ready and so faithful to answer it.

His last conscious hours were occupied in hearing hymns read to him. Then a few days of unconsciousness, all ending in a quiet, gentle subsidence of the vital powers. His spirit passed away at last without a struggle, to enter on his immortality of heavenly blessedness. It would be ungrateful to ask for any dying testimonies to the reality and power of spiritual things, faith in

Christ, redemption through, and only through His blood, when the better testimony of his eminent life is before us. He was wont to say, when any of his friends died in faith, "Another victory." His own choice words are the best expression of our faith, in this hour of sore bereavement, to his household, to his church, to his city, "Another victory." Thanks be unto God who giveth us the victory through our Lord Jesus Christ!

At the conclusion of the above, Dr. Adams spoke as follows:

ADDRESS OF REV. WILLIAM ADAMS, D.D.

When those whom we love are removed by death, there is an instinct of our nature which prompts us to recall the virtues of their characters, and collate the evidence on which we rest in hope that all is well with them. While administering this form of consolation to others and ourselves, let us not forget—how can we forget it?—that the qualities which best fit our friends for translation to the kingdom of God are those which make their society and friendship the more valuable and needful to us upon the earth.

These are the things which make it so hard for us to part with good men. These are the qualities which brighten our homes, which cheer our path, sweeten our companionship, and help us on our pilgrimage. There is, therefore, no inconsistency in mourning when those,

whom the grace of God has prepared for removal to the skies, are taken from our society and our sight. "Help, Lord! for the godly man ceaseth." No greater loss can ever befall any community than that which is occasioned by the death of a good man.

When one like our deceased friend, who was an ornament to a noble profession; who had always made the impression throughout this community that he was a man of transparent honesty, of high integrity; who, by his practice and life, has done so much to lift his profession above all suspicion of sophistry and artifice, from the region of chicanery into the serene atmosphere of pure truth and equity, cherishing for it an attachment, the secret of his success, bordering upon enthusiasm—when such a man is taken away from us, the whole community confesses the loss; even those who never shared his personal friendship miss the influence of such a public citizen. His death is like the fall of a great tree in a grove, bearing other trees and branches, shrubs and vines, down to the ground.

It was a saying of antiquity, which has come down these many ages, "Call no man fortunate until you see how he dies." There is an implication in the language that, so long as a man lives in this "present world," he is in peril and exposed to evil. When a man finishes his course with an untarnished name, with a good hope of heaven, he is to be congratulated.

We are gathered here to-day to express, amidst all our personal regret for his removal, just that senti-

ment. We all of us respond to the cheerful tone of that address to which we have just listened. While we are still drifting about upon the wreck at the mercy of the winds and waves, what a pleasure it is to see one, whom we have loved and honored, safe on the beach! All we have to do is to prepare ourselves to join him, amid that great and glorious company to which he has gone. So do we come to-day to congratulate these friends, even though, according to the direction of the New Testament, "we weep with those who weep." There is more than resignation shining through the tears of their bereavement. They are dignified and comforted by that priceless legacy which has been left them in the providence of God. Truly these children can all adopt the words of Cowper, repeating them with grateful hearts to themselves and to their children:

> "My boast is not that I deduce my birth
> From loins enthroned and rulers of the earth;
> But higher far my proud pretensions rise,—
> The son of parents passed into the skies!"

Be thankful, my friends, that you have had such a father; that he has been spared to you so long; and that he has been permitted to see, what he was always so fond of speaking of to his friends, the great kindness of God as dispensed to him in his children, and his children's children.

This life of his was not unfinished, or like a broken pillar: it was rounded and completed. What addi-

tion could have been desired? He has sustained important relations to society; he has accomplished his work in the Christian Church; and now "devout men bear him to his burial," cherishing and honoring his memory, and lifting up grateful ascriptions to God for all that he has been permitted to be and to do in the world. The best tribute of our affection and respect for the memory of such a friend is, to be diligent in doing the very things which he would exhort us to do if those lips now sealed in death had language.

They mourn the dead who live as they require.

And what would he say to this large company of sorrowing men who have gathered here from that profession which he honored, and from the walks of commerce, to do respect to his name?

After all that he has said by his example these many years, in his private life and public pursuits, what would he say now but this, "*Be ye also ready?*" What is the value of this life but as a preparation for the life to come? And how is that preparation to be accomplished? Thanks be to God, we are not left, in framing an answer, to grope our way in dreary conjecture. "The sting of death is sin." "Behold the Lamb of God, which taketh away the sin of the world." He, who commits his soul in true faith unto the Lamb of God for the forgiveness of his sins, has victory over death, and the life everlasting!

The Rev. Dr. Spring then delivered the following address:

ADDRESS OF DR. SPRING.

As I came from that house of mourning, into this sanctuary, my thoughts dwelt upon the truth—"The Lord doth not afflict willingly, nor grieve the children of men." As I here look down upon the lovely remains of our deceased friend, I cannot but dwell upon that other truth, "All flesh is grass, and the goodliness thereof as the flower of the field." As I listened to the remarks, so justly commendatory of his character, it would be superfluous for me to say that, from my heart, I respond to them all. Yet when I recollect the fifty years of friendship with him, as a man, a Christian, and an officer of this church, I cannot suppress the desire to utter a few thoughts, more appropriate from me as his pastor for more than fifty years.

Mr. Lord's mind was deeply impressed with the importance of the domestic relations, in their influence upon personal piety. After having attended upon my poor ministry for several years, at the close of one Sabbath after listening to a discourse from the words of Ruth to Naomi—"Entreat me not to leave thee, nor to return from following after thee, for whither thou goest I will go, and where thou lodgest I will lodge. Thy people shall be my people, and thy God my God"—Daniel Lord took me by the arm and walked with me to his own dwelling in Beach Street. When seated there, he burst into tears. "Dr. Spring," said he, "I cannot account for this weakness. New emotions have,

to-day, strongly influenced me, and it seems to me that I must make up my mind that 'thy people shall be my people, and thy God my God.'"

I believe he did so. We prayed together, and I left him, peaceful in hope and firm in purpose. You know his life, gentlemen. Amid the pressure of business, the excitement of litigation, and the sacred duties of the sanctuary, he was ever the same intelligent Christian.

Death! oh, what is it? One of the penalties of prolonged life is, that we must see so many die. Death sweeps away whole classes of men, from the shores of time, by a single wave. A melancholy exemplification of this mournful fact is found in the history of the New York pulpit, and the no less sad history of the New York bar. How true the words of the Psalmist, "Thou carriest them away, as with a flood!" I have lived to see two generations of the New York bar go down to the grave;—the last and not the least honored name among them, that of Daniel Lord.

Gentlemen of the bar, I speak to-day to you. If our departed friend could occupy this pulpit, his message would be emphatically to the New York bar. I have a message from him to you, and it is to commend to you his early resolution, "Thy people shall be my people, and thy God my God." The gentlemen of the bar occupy a commanding position in this community. In this solemn hour you cannot but realize that, though frail as the tender grass, you are born for immortality. Death sweeps away not classes of men alone,

but men as individuals, in all their personal responsibility to the Judge of the living and the dead. It is a weighty truth that religion is a personal thing, and that every one of us must give an account of *himself* unto God. The surroundings of station will be at the Judgment-seat unknown: the king will be there, but without his crown; the banker will be there, but without his gold; the merchant will be there, but without his ledger; and the lawyer too will be there, but without his clients or his brief. Soon you will stand with him, who is no more here, before that bar where you will have no cause to plead, where the great question will be forever decided, whether you have an interest in Him who is the righteous One, who is the only advocate with the Father, the all-sufficient Saviour of sinners like you and me! Oh, the solemnity of that hour when the bar of New York shall stand before the Son of God, where every one shall give an account of the deeds done in the body, and when the solemn Judge shall pronounce the irreversible sentence!

My dear friends, these are not fancies. You must realize them, you have thought to realize them, you have habits of investigation to realize them, you have the power to analyze the weight of testimony, to discriminate truth from error, and to become Christians.

Gentlemen of the bar scarcely know the influence they have in this city, in this land, and throughout the world, and it is a Christian bar which claimed this man; next to the pulpit is the bar. It should be the glory of the American people.

At the conclusion of Dr. Spring's address, the choir sang the hymn :

Servant of God, well done!
Rest from thy loved employ!
The battle fought, the victory won,
Enter thy Master's joy.

The pains of death are past,
Labor and sorrow cease;
And, life's long warfare closed at last,
His soul is found in peace.

Soldier of Christ, well done!
Praise be thy new employ,
And, while eternal ages run,
Rest in thy Saviour's joy.

The Rev. Dr. Hodge offered the concluding prayer, and dismissed the assembly with the benediction.

PROCEEDINGS

AT THE MEETING OF THE BAR,

MARCH 10, 1868.

Early in the morning of March 5, 1868, the fact of Mr. Lord's death became generally known among those who had been associated with him in his professional life; and, when the several Courts of Record in the city opened, motions for an adjournment in token of respect to him were made in each by different members of the bar, and were in every instance granted with considerate readiness.

The warm and kindly expressions which fell from the lips, both of the gentlemen who made those motions and of the judges who allowed them, have not been, and will not be, forgotten by those to whom they came so gratefully in a time of deep sorrow; but the short limits to which this Memorial must be restricted forbid their insertion.

A formal meeting of the bar, for the purpose of giving some more public testimonial of feeling, was called for Monday, March 10, 1868, and was held on that day in the United States District Court-room.

After the meeting was called to order, on motion of Mr. Henry Nicoll, Hon. D. P. Ingraham, Justice of

Supreme Court, was appointed to preside. Judges Daly, Robertson, and Blatchford, and Mr. Marshal S. Bidwell, were appointed Vice-Presidents; and Mr. S. G. Courtney, United States District Attorney, and Mr. S. P. Nash, were appointed Secretaries.

Mr. Edgar S. Winkle then offered a series of resolutions, in presenting which he spoke as follows:

"Mr. President,—I have been requested by the Committee of the bar, under whose auspices this meeting has been assembled, to present to its consideration the resolutions, of which I hold a copy in my hand. I shall confine myself simply to that duty, pleasant as it would be to me to speak of Mr. Lord as I knew him, and shall leave to others to speak more at length of his virtues and acquirements. I now read the resolutions:

"*Resolved*, That in the death of Daniel Lord the members of the bar of New York have suffered a great bereavement, and that they deeply deplore the loss they have sustained.

"*Resolved*, That we are grateful his life was spared so long, and that he was able to fill its annals with so much useful labor, so many professional achievements, so many good deeds, and such bright examples of what an eminent lawyer and good citizen should be.

"*Resolved*, That his long and honorable professional career, extending over half a century, his prominent position at the bar, his extensive legal learning, his skill as an advocate, his devotion to the interests of his clients, that devotion always being concomitant with honesty and truth, his uprightness, his integrity, and his Christian life, constituted a character, and won a reputation, of which we, as members of the bar, are justly proud.

"*Resolved*, That we sincerely sympathize with the afflicted family of our departed associate, and, without wishing to intrude on the privacy of their grief, would, nevertheless, kindly ask to be allowed to mingle our sorrow with theirs, because he belonged to us as well as to them.

"*Resolved*, That a copy of these resolutions, signed by the officers of this meeting, be transmitted to the family of the deceased."

ADDRESS OF HON. WILLIAM M. EVARTS.

Hon. William M. Evarts, in seconding the motion, said:

I am sure, Mr. President, and gentlemen of the bar, that in our assemblage to-day, upon the occasion of the death of an eminent lawyer, an honorable citizen, an upright and excellent man, we shall not at all feel that we are acting only in obedience to custom—a custom which, it has sometimes been alleged, assumed too much the importance of the public relations which the bar held to the community; for I am quite sure that there will be found to be nothing of mere pride of our profession, nothing of mere effort, or of honest disposition, to advance its claims as a public profession on the attention of the community, when the occasion of our assemblage is, within the knowledge, and by the confession of this entire community, the death of a most distinguished citizen. Mr. Lord, more I think than almost any other of the eminent members of our profession, whose loss we have been called upon to deplore,

was a lawyer of this city and of this State; was a lawyer through the whole course of his life, of this city,—in his birth, his early education, his first admission to the bar, and the whole progress of his professional life down to the moment of his death, being of this city. We may very briefly note the principal dates of this distinguished career.

Born in the year 1795, he was graduated at Yale College, in as rapid a course of age to complete his instruction as was then habitual. In the year 1814, at the age of nineteen, he entered upon his professional studies, completing them, partly at the celebrated law school at Litchfield, and finally in the office of an eminent lawyer of the generation of the bar preceding his, and yet who lived to be known to all of us so well, George Griffin. As soon as was permitted, in the course of years after graduation, he had completed his professional studies, and in the year 1817 he was admitted to the bar. In 1818 he took that step in life which fixes the domestic character of a man, by marriage; and in the year 1868, now before our eyes, his life, professional, social, domestic, public, has terminated.

If we recall, as I have been led to do, by a somewhat hasty glance, the series of causes of the most excitable character, which, in the Federal or State Courts, have engaged the attention of Mr. Lord, we shall see how large an area they covered, and how extensive a number of the most important professional employments came year by year, and step by step, to be under

his charge. In the State Courts, just before my own personal acquaintance with Mr. Lord commenced, the celebrated Fire causes, which were new in principle, striking in character, weighty in import, vast in their pecuniary interests, had been conducted successfully to a close by him. Then the Dutch Church case, one of the largest questions of title to property held under charitable use, came soon after. The case of Wakeman and Grover, a leading case on the most important subject of trust assignments; the American Life and Trust cases, containing in so many forms questions of usury, and of corporate action, arising in the transactions of that large institution; the case of the Leake and Watts charity, embracing questions of wills, and of charitable uses; the Mason will; the Phelps will; and, running through all the same period, a series of insurance causes, of mercantile causes in every form, of revenue cases, either in the forfeiture side of the Federal Courts, or involving the question of duties and their exaction, combined to fill up, year by year, month by month, day by day, the course of his practice, embracing these important topics of jurisprudence. In the United States Courts, the case of Carver and Astor, known as the Putnam County Land case, and finally argued in the Supreme Court of the United States, in the year 1830, by Attorney-General Bronson and Mr. Webster on the one side, and by Mr. Ogden and Mr. Wirt on the other, was the termination of a great and important controversy be-

tween the title made under the statutes of forfeiture following the Revolution, and the title under a private conveyance, resulting in the maintenance of the superior title of the private conveyance. This is understood to have been a case in which Mr. Lord was the responsible and managing lawyer on the side of Mr. Astor, although the principal, if not the whole, forensic display, at least, was in the hands of the very eminent lawyers, on the one side or the other, whose connection with this case is historical. Then, soon after the disasters of 1837, in which the downfall of the credit system of this country had induced a large series of litigations on the part of foreign bankers, and foreign merchants pursuing their debtors here, there came the celebrated case of Bell and Grant against Bruen, in the year 1843, resting upon questions of commercial guaranty; and the case of McCalmont against Lawrence on the law of suretyships and commercial guaranty. A little later, in the year 1850, the well-known insurance case of Barnard against Adams, in the Supreme Court of the United States, tried first in the circuit here, involving the question of the contribution in general average, to make good the loss of a ship voluntarily stranded under peculiar circumstances of apparently hopeless peril—an interesting and novel question upon which Mr. Lord was successful in supporting his views. The case of Jasigi against Brown, a little later, in the year 1854, was a case of considerable magnitude, involving the question of accrediting, by letters of com-

mendation or representation, parties who were involved afterward in debts for which suit was brought. The Methodist Church case followed—one of those notes in the prelude of the great storm which finally ended in the armed revolt and in a threatened dissolution of the country; this great controversy arose on the partition of the Methodist Church between the North and South, and I remember the case as almost the only one which as an observer, an interested listener from beginning to end, I have been enabled to attend since I have been at the bar; a case discussed here on the one side by Mr. Choate, of Boston, and Mr. George Wood, of New York, and on the other, by Mr. Lord, and Mr. Reverdy Johnson, of Baltimore; a case, the splendor of whose debate astonished as it delighted our bar, and in which Mr. Lord's peculiar traits and powers, contrasting so much as they did with the brilliancy in one way and another, or the solidity of these eminent lawyers, nevertheless left the impression upon the court and upon hearers that Mr. Lord's mode and style of dealing with forensic questions within the region of practical and sensible estimate and decision was as marked, as useful, and as distinguished, as any of the more brilliant or more imposing forms of forensic power which his opponents or his associates presented. Then came the series of Bank tax cases, the prize causes in the courts of original jurisdiction, and finally the argument in the Supreme Court of the United States, of the principal and test-prize cause, that of the *Hiawatha*, in which the doc-

trines of the war, as bearing upon public law, of prize, and of submission to the laws of blockade, growing out of the first emergency in which our civil war had placed the Government toward the revolted States, were the topics of discussion. In the case of the Savannah privateers, involving an interesting question of criminal law, in which these same questions came up, Mr. Lord appeared for the defendants.

Now, Mr. President, this very cursory statement, leading us, who know all about him, only to dwell for a moment upon the wide extent, the varied forms, weighty duties, and the constant occupations of Mr. Lord's professional life, shows that, in view of fifty years of such professional effort and of such professional distinction, we cannot but feel that the gap made in our body and in our community by his removal is a wide and a deep one.

In regard to his personal life, Mr. Lord, in his domestic affairs, in his social relations, presents a career of prosperity and of happiness which, in the changeable nature of our society, is certainly quite agreeable. Losing one child out of eight, in mere infancy, as I am told, all his other children have grown up to manhood and womanhood in this city, all worthy of their father's character and of his name, and all were suffered to stand by his bedside at his last moments. No disasters of any kind, no disappointments, no unsuccessful efforts in any direction of life, seem ever to have awaited upon Mr. Lord's career; and when we remember, as we

cannot fail to do, that, with all this prosperity and all this distinction, he was as quiet and as simple, as honest and as straightforward, and as constantly laborious and faithful as if work was all that there was of life that was worthy to be done—worthy work, for worthy ends, and by worthy means—we cannot but confess that the life of our deceased friend and brother presents as agreeable a picture for us to look back upon as could have been enjoyed by him; one that we could wish to be filled up in some measure for our own lot, and one that in any estimate, although he never held judicial or official station, or was honored by political distinctions, we must feel has been a life as worthy to be lived, as useful and as influential, as any of those lives which have been more elevated in the career of public influence, however distinguished and however useful they too may have been.

It happened to me, Mr. President (and for this reason, more than any other, am I permitted to make these remarks), to become acquainted with Mr. Lord, the first among the lawyers of New York that I ever knew. During my college residence at New Haven, I had become acquainted with his person, which had been pointed out to me in some of his occasional visits to that city, the seat of his college education. Some circumstances of family connection led me afterward, when a student at Cambridge—upon the casual suggestion of a comrade there, that I should turn my attention to the city of New York rather than remain, as I had expected

to do, in Boston—to think, as a possibility, that my acquaintance, or the means that I had to make an acquaintance with Mr. Lord, then eminent in his position at this bar, might give me an introduction to his care and attention, and might afford me opportunities of education under circumstances that required me to be very careful in regard to expense and risk in any step that I should take, which might lead me to venture to become an aspirant for the distinction and successes of the profession in this great city. I may, therefore, feel that Mr. Lord was really the reason, the occasion, the opportunity, the means, by which I was permitted to be introduced to any degree of professional labor and prosperity which may, in my own sense, or in that of any one about me, have attended me. I remember very well the kindness with which he received me, and the willingness which he expressed to receive me into his office; and when, at the appointed time, the succeeding summer, that of 1839, I presented myself, he said —"Well, Mr. Evarts, you have come to commence your studies and be a lawyer in New York," and I replied doubtfully, perhaps as I supposed modestly, "I have come to try"—"Well, sir," said he, "if you have only come to try, you had better go back; if you have come to stay, we shall be glad to receive you;" and when I amended my answer by the information he gave me, that it was possible for me to stay, that I had come to *be* a lawyer, he received me cordially; and from that time to the time of his death he has been my friend,

my supporter, and my guide. It has, of course, in the nearly thirty years of my residence as a student and as a lawyer in this city, come to me to be more or less acquainted with, or more or less an observer of, not only the personal character, traits, and careers of the eminent lawyers, so many of whom have passed away, so many of whom are yet left, but also to have some general knowledge of the course of the profession, and of the business of the bar; and, in looking back upon that thirty years, I cannot but think that Mr. Lord, then about forty-five years old, held relatively to the law business of the city, and relatively to the other lawyers who were his rivals, his competitors, his equals, a better position, in regard to his hold upon the business of the city, not only than any lawyer at that time, but, I think, than any lawyer that has followed him. Not but that there have been, perhaps, larger connections of employment since, more brilliant presentations of forensic and other professional success, but the city became so large that it was utterly impossible for any one lawyer, however great his power and his reputation, to occupy the position toward the community of clients and the general course of professional business later, which Mr. Lord occupied at that time. During the two years that I was a student in his office, there being a considerable increase of law business from the necessary sequence of the great disasters of 1837, it seemed to me as if almost all the great commercial houses, as if almost all the old and large property-holders of the city, as if

almost all the foreign agents, as if almost all the casual litigants having causes of great magnitude, came to consult Mr. Lord. I know I saw then what I have not been in the habit of seeing in my own or in any other office since—an habitual attendance every morning, as if upon a levee, of a very considerable number of clients awaiting his coming to the office, to take his opinion on matters of importance, or of more solemn consideration, and awaiting their turn to be received into his inner room. From the circumstances of the arrangement of the office, it was pretty full of students; and I, being the last-comer, had the privilege of occupying the same room with himself, and, excepting often being required to remove during a confidential interview with other counsel, or between him and his clients, I enjoyed the advantage of seeing and noticing the every-day habits of intercourse, professional conduct, and professional demeanor, of this distinguished lawyer. Promptitude was the great trait of Mr. Lord in his personal dealings with his clients and with his causes. A most fortunate, a most wonderful capacity of economizing time, a ready control of his own attention to every piece of business as it came along, so that whatever his fresh and instant attention to it communicated was preserved and laid up in the first few hours or days of the introduction of the business in a permanent shape, so that when, after a long period of time, it came on for trial or for argument, he did not need to go over again, with painful steps of repossession, the ground that

he had once examined. His opinions, which were brought down morning after morning, and were generally not very long, but always very much to the point, were delivered to the students to copy, and then handed to the clients. And although there were not so many courts by far as there now are, yet he was sure to be occupied during the day in court either in argument or in trial, and occasionally was withdrawn to Albany, and, during the winter, also to the Supreme Court in Washington. I was able, therefore, Mr. President, to gain what was of incalculable service to me, or might have been if I had had the strength and patience and industry to get all the good out of it that I might—of incalculable importance to any young student, to any young and expectant lawyer—a knowledge by actual observation, how it was that great and numerous and constant affairs could be handled and disposed of satisfactorily, usefully, faithfully, successfully, triumphantly, by a lawyer in the very concourse of the courts, and of causes. He displayed great quickness of apprehension, great firmness and intrepidity in the prosecution of the views that he had espoused, great confidence in them, and these were the prevalent traits of Mr. Lord's forensic conduct of business.

Now, Mr. President, I shall not trespass much longer upon your time, but in all these years of my observation of Mr. Lord, of my respect and affection for him, I can truly say that I have never known any particular conduct of his, professional or personal, nor any general

habit or principle of life, professional or personal, that I could not honestly esteem as of the best example, and honestly commend to all who sought the best example. I do not seek to put a tint or color upon his life and conduct that is more than human; I do not say that there were not faults and blemishes in the casual intercourse of the bar, or of society, that in him, as in every one else, may have excited some resentment; but I do mean to say that there was no purposed and deliberate act, there was no settled and adopted principle of conduct, which was not of the highest character and of the most important influence in the conduct of his affairs, and such as every member of the bar might well wish to have been an observer of.

Mr. President—Mr. Lord dealt with one subject, not always easy to be managed by prosperous members of any liberal profession, in a manner which it seemed to me was as unexceptionable, as high-minded, as any course that could be adopted, and I cannot but think that in the great crowd of business, and in the very large increase of professional emoluments which we now see about us, it may be worth while to refer to the fact of the moderation of Mr. Lord's professional charges. He never overlooked the fact that the profession of the law was not in, and of itself, the pursuit of gain. He never failed to recognize that the profession was a liberal one, and that its rewards were in the service of the public, in a general interest in the care of men's affairs, and in the honor that attended the ability to be the

advocate of justice and the defender of the wronged; and I think that throughout his whole life he very conscientiously and very thoroughly adhered to the rule and principle that the compensation of the lawyer should be proportioned to the service he performed in every case, and yet never upon any other standard than what would furnish a suitable support, according to the customs of society, and give an opportunity to provide against want in the possible misfortunes and vicissitudes of life. I think, Mr. President, that there has not always been an observance of this rule, and I think that we all feel, and believe, that that is the true rule of our profession, that we do not live to make money, and that all we can recognize in regard to making money is, that we make it that we may live. Our duties, our obligations, if we are fitly described as a liberal profession, do not admit us to regard the profits of our profession as the principal object, nor the amount to which they can be carried as a safe and just guide open to the lawyer in this regard. Mr. Lord also seemed to me in all his dealings with questions of expense, of money—not an easy question to manage in the affairs of life—to be governed by as sensible views as any man that I have known; never ostentatious, never profuse, yet always liberal, always generous, always honest in the externals of life, he seemed to me, in this matter of dealing, to present a spectacle to be imitated by us all; and now, when the few last years have reminded us that his active and vigorous mind and frame were beginning to

yield to the touch of time and to powers of decay, we have noticed how readily he accepted the conditions of withdrawing gradually from employment, and we have been glad to see how apparently he was enjoying the cheerfulness, the comfort, the full possession of his intellectual faculties, and the great enjoyments which his social and domestic happiness furnished so freely to him; and it is only within the last fortnight, that we have felt that even this beautiful life, with all its strength and all its charms, when touched finally by the finger of decay, passes away like a garment fretted by the moth. But it is only in this natural decay that we know or admit this change His example, his life, is not affected by any decay, nor fretted by any corrosion. It is complete, it is secure; it is the possession of us all; and mourned as he is by the profession of the country, by the community, by the public, who knew and honored and admired him, I may be permitted, in my own personal attitude to him as my master and my guide and friend, both to feel and to say that personal and private grief justly attends my relation to his loss.

ADDRESS OF WILLIAM ALLEN BUTLER, ESQ.

In discharging the part which the committee have devolved upon me, I shall forbear to speak from those personal associations, or from that sense of respect and reverence, far more than professional, scarcely less than filial, which might prompt me to a line of remark per

haps unsuited to this occasion. In the freshness of a grief caused by such a loss as this, we are apt to look at the object of our regard rather in the softer lights reflected from whatever was most attractive and beautiful as it appears in our own recollections; but the discriminating review which has been already given of Mr. Lord's career reminds me that, in these commemorative gatherings of the bar, we are to place the subject of our praise in the clearer and sharper light of the high calling which we profess; the light which now, as from some fixed and permanent orb, falls upon this finished work, and this new-made grave.

To me, sir, and to those whom I address, I have no doubt that the chief, perhaps I might say, the severe charm of this occasion, springs from the fact that Mr. Lord was so exclusively, in respect to all those traits which we are now gathering up for commemoration, a lawyer. The tribute which we pay borrows nothing from political distinction; it borrows nothing from public place—a seat upon the highest bench in this State, proffered to him, was declined, from a strict sense of duty—it borrows nothing from literary successes or inspirations; it borrows nothing from those arts, more kindred to our profession, of popular eloquence or oratory. Nor is this one of those instances in which Nature was so prodigal of her gifts that, when we come to survey the finished life, we almost doubt whether the eminence which it attained was the result of industry on the part of the man, or of the impelling force of

native genius. No, sir, Mr. Lord's career bears this impress upon it, which every member of our profession should feel to be a personal encouragement to duty, that from first to last what he acquired of reputation, of social standing, of weight with this community, which judges and weighs men and things by a true standard, he acquired by patient industry, by the severest toil, and by the faithful application of those mental gifts with which he had been endowed. Perhaps as much as any man who ever toiled in the same direction, he gained distinction by slow and diligent steps. Starting with the rudiments of legal science, and mastering its principles by dint of the most thorough mental discipline, in his professional training and development patience had her perfect work. His assured position and his high repute, woven long ago into the very framework of our social organization and of our American jurisprudence, he gained against odds, in the face of sharp rivalries, by hard work, and by superior talent. He ran in the race, and so ran that he obtained; and remembering with whom he competed for the prize, he might in the retrospect have said of all this wealth of professional fame which he left behind him, as the patriarch of old said of the portion, above his brethren, which he gave to his chosen son: "I took it with my sword and with my bow."

The secret of Mr. Lord's success as a lawyer it is not difficult for us to solve. It resided in his clear intellectual perception of truth, aided, guided, perhaps I

should say, by an equally clear moral perception of truth. It resided in the facility with which he could apply great principles to facts as they presented themselves. It resided in great part in his peculiar power of conveying to the minds of others the precise idea which lay in his own mind. If eloquence, among the many definitions which have been given of it, is properly defined as "the power of transferring our own thoughts to others," there was this about Mr. Lord's forensic efforts which, I think, every one will bear witness, brought them clearly within this definition—I mean his remarkable power of transplanting the root of the matter from the native soil of his own mind into whatever was kindred in the minds of those whom he addressed. This is a wonderful faculty. Looking at Mr. Lord, as many of the younger members of the profession have done with me, in reference to his ability to discover and to present the vital points of his case, how often we have been struck with this peculiar power! The words that he used were simple, his phrases were homely; he struck the nail on the head and drove it home. There was nothing that was ornate in his discourse. There was a certain lack of style in it which was more vigorous than style. There was a certain absence of ornament in it which was more powerful than ornament. It came from his own intellect and conscience and heart, and it went where it was intended to go, to the intellect, and the heart, and the right judgment of those to whom he spoke. We were

told in that most appropriate discourse delivered on the day of the funeral by his pastor, that in Mr. Lord's diary for this year were found two brief sentences transcribed from a sermon of Dr. South. They were cited in the hearing of perhaps most of us who are now assembled, brief, sententious, and weighty. Doubtless, Mr. Lord had not for the first time during this year made the acquaintance of South, that master of a style so terse and vigorous that, next to Swift, he of all others could put upon our English tongue its keenest edge, and I am reminded of another brief sentence of the same divine, which I will take the liberty of quoting, as it comes aptly in connection with this incident, and as it seems to me to contain in a few words the leading characteristic of Mr. Lord's power as an advocate: "The principles of things," says Dr. South, "lie in a very small compass, if the mind can be so fortunate as once to light upon them." Now, it was the felicity of Mr. Lord's mind that he lighted with such ease upon the principles of things, that he applied them so readily, and that he conveyed them so forcibly to the minds of others.

Another characteristic of Mr. Lord, to which I may be allowed to allude, was his faith in the weight of evidence. There are many members of our profession, there are many incumbents of the bench, who seem to approach each case, as it presents itself, with some preconceived theory which it is their effort to support. With Mr. Lord there was something remarkably can-

did in his estimate of every case according to the evidence upon which it depended, and in view of the conflicting weight of authority bearing upon it which he labored to control, and from which he sought to eliminate the just principle of decision. He applied these tests not only to the questions which arose in the course of his professional practice, but also to the gravest questions which can occupy the human mind. In reference to the inspiration of the Scriptures, this was his short and simple method of solving the difficulties which are apt to environ that subject. He placed the whole argument upon the testimony of the Son of Man. He said to a friend, intimately associated with him, as related to me in a recent conversation: "I believe this witness; I believe what He testifies upon the subject. There with me is a solution of the whole problem." This was his way of approaching this great subject, as well as every subject which came within the province of his duties as a lawyer and a jurist.

Mr. Lord was a man of very positive qualities, rapidly developed in his course at the bar, and prominent in his professional life. It could hardly have been otherwise. He was born in the decade during which Lord Mansfield died; one-third of his career ran parallel with the career of Chief-Justice Marshall; fully one-half of it with that of Chancellor Kent; nearly the whole of it with that of Chief-Justice Oakley, and he was trained in a school which very soon developed all that was positive in his character. He was an advocate,

tenacious for the cause of his client, ready always to stand in the breach, and we all know, for it has been known and read of all men in our profession, with what alertness, with what energy, with what persistency, and with what success he occupied the place of the client whom he served. We know very well, too, for he has left it on record, how easily he brushed away the sophistry of the casuists who would seek to raise questions of difficulty in regard to the moral aspect of our profession and our professional life, and to turn the business of the jurist into a sort of insurance against errors of judgment, or against the conflicts of testimony. And here I may be permitted to read a few brief sentences from the only public address of Mr. Lord which has fallen into my hands, which I have preserved for many years, and which bears upon this question so often discussed, and of so much practical importance.

He says, in refuting the common prejudice that the lawyer can only advocate the cause which coincides with his own convictions:

"It is not difficult to show that this is an unjust prejudice, and not a true judgment. All questions not resting on demonstration, like those of the mathematical, and some in the physical sciences, depend on a balancing of arguments, a weighing of probabilities, a comparing of considerations of contrary tendencies. To decide these questions truly, the arguments, the probabilities, the considerations on each side must be fully presented; and the more fully, the more forcibly,

the more is a just conclusion aided. Now, in this presentation, a wise division of labor, if not a necessity for equalizing the mental powers on each behalf, has dictated the forensic discussion, the committing of the argumentation on each side to different minds, as conducive to greater completeness. This mode of discussion calls for no falsification of principles, for no perversion of reasoning. It simply demands the statement of those true principles and views, modes of reasoning, and authoritative precedents which conduct to one of the opposite conclusions; that the opposing considerations are not produced by the same person, does not render those which are produced insincere, since it is the very rule of the discussion that they are to be produced by another. And it will be found, so far from deadening the sentiments of truth and fairness among the bar, that to state untruly a fact, a principle, or a precedent, is by them held as unprofessional as in fact it is dishonorable and immoral.

"Besides, the open representative character of the bar, personating their clients almost as in the drama, relieves this subject from even an apparent insincerity. Their persuasions are presented as those of the party; they are to be weighed as such, and so are received and considered, according to their intrinsic force, and not to the personal consideration of the advocate. So long, therefore, as all difficult, social, and moral questions have two sides to be looked at, have truths on each side to be weighed; so long as the division of the labor of

discussion, like every other division of labor, shall lead to greater perfection, so long will the forensic labors of the bar be intrinsically free from dishonor or just impeachment. Truth, although simple, is not always easy to be discovered. Justice is still oftener concealed in dark recesses. It is a noble and elevating office of the bar to seek for both."

I shall not detain you, Mr. Chairman, with any reference to the details of Mr. Lord's career, for the full review which we have had of the various aspects of his professional, personal, and social life, renders it unnecessary that I should touch upon those topics. For fifty years he has been actively engaged in the pursuit of our profession in this metropolis. He was called to the bar in 1817, a year specially crowded with commercial activities, springing from the fact that, after the brief pause which followed the peace of 1815, the commerce of this country then began to develop its resources, and to take the initiative in its march around the world. In 1817 steam navigation on the North River was, for the first, regularly established, the first line of ocean packets connected this city and Liverpool, and the first regular mail communication of a frequent character was organized between New York and Philadelphia. It was a period full of enterprise and public spirit. Mr. Lord at once connected himself with the most prominent of these increased business activities, and entered upon that professional career which has been so closely identified with the commerce of his native

city from its commencement to its close. And now, as we look at its completed course, it seems to us like some massive arch, its two extremes at a great distance from each other, resting with an equal poise, always aspiring upward, covering a vast space, and yet, by its continuity and firm grace, giving form and substance to the entire circle which it describes. It commenced fortunately—fortunately it has ended. It seems to me as if every element of felicity which the mind has ever conceived in reference to a human career is blended here. The old classic ideal, bounded as it was by the horizon of Time, embraced nothing nobler or more satisfying—an active life in the forum; the companionship of the wise; the respect and reverence of children; the charms of domestic life; the confidence of the State; at death, the public funeral and the homage of the good. Certainly it realizes the beautiful description of the Old Testament where the Heavenly Wisdom is represented as having in her right hand length of days, and in her left hand riches and honor. And surely around this bier we may claim the fulfilment of those better pledges and promises of the Later Dispensation, which assure to godliness the promise not only of this life but of that which is to come.

And so, Mr. Chairman and gentlemen of the bar, he has left us, with all that weight of learning which he wore so lightly, with all that wealth of esteem which we loved to lavish upon him, and, as we watch this receding figure as it disappears from these familiar

scenes, we perceive that it does not vanish in the distance or the dark, but, only higher advanced, it is detained for us by memory, it is transfigured by faith; calm and sedate as the image of that Justice in whose courts it ministered, all its imperfections lightly brushed off by the wing of Death, robed in those antique virtues which it wore so well, and radiant now with that shining light which, illumining the path of the just, shines brighter and brighter unto the perfect day.

ADDRESS OF HON. WILLIAM BEACH LAWRENCE.

Mr. President: It was only this moment, in entering the library in the adjacent room, that I learned that there was to be a meeting here this morning, for the purpose of rendering homage to the memory of the most eminent of the jurists of this city—to the memory of one to whom I was personally bound by the strongest obligations that gratitude can create.

My early recollections of Mr. Lord may, perhaps, be an apology for asking you to go back with me not only as far as the learned gentleman (Mr. Evarts), who first addressed you, went, but to go back to the very commencement of his career; for it was, at the same time that he opened his office in Pine street, that I entered, as a student, the office of William Slosson, then the first commercial lawyer of this city, and who filled toward the community, toward the rich men, toward the banks and other moneyed institutions, toward the merchants, as

well our own citizens as foreigners from every country whose business in this metropolis required the advice of counsel, the position which was afterward so worthily occupied by him whose loss we now deplore.

I find, among the gentlemen here, scarcely any of my generation, of those with whom, on my admission to the bar, I was connected by professional associations. At that time the young lawyer had unrivalled opportunities for the attainment of forensic eloquence, and acquiring instruction for the public exercise of his profession, by listening to those who were masters of their art. I have nowhere, in any country, seen two advocates more remarkable for the soundness of their logic, the accuracy of their learning, and the elegance of their diction, than John Wells and Thomas Addis Emmet, who, during my novitiate, occupied the foremost places at the bar of this city; nor were much behind them, George Griffin, David B. Ogden, Josiah Ogden Hoffman, and other gentlemen, whose names you will all recall, from tradition, if not from personal recollections. Moreover, arguments at that day were made before such men as Chief-Justice Spencer and Chancellor Kent.

Following Mr. Lord very closely at Litchfield, the school at which so many of the leading lawyers and statesmen of the last generation obtained their legal education, I found that he had made his mark there, and given indications, by his talents and industry, of the ability to attain that rank at the bar which he so honorably maintained through a professional career of half a century.

It was not, however, till a period long subsequent to that to which I have referred, that I was brought into personal connection with Mr. Lord. It was after my return from Europe, where I had passed some years in the diplomatic service of the country, that I became acquainted with him as a friendly adviser and as a lawyer; and I can bear ample testimony to to the truth of every thing that has been said of him as chamber counsel, by the gentleman (Mr. Evarts) who had the advantage of being his confidential student. From the first, I have never known any instance, whether I consulted Mr. Lord as associate counsel, or addressed him as a client, that I had any reason to doubt the correctness of his advice. He had, as Mr. Evarts has just remarked, the power of impressing you thoroughly with his views; not only was that true, but I do not recollect a single instance, going through a period of several years, in which I had any reason to regret having implicitly followed his advice; nor do I know of any case in which he did not well, ably, and fully sustain those views which he had expressed in his office, when he came to discuss them before the court. I have again and again declared, whenever allusion was made to the professional character of Mr. Lord, that though others may have equalled or surpassed him as a mere advocate, as an advising counsel, as a lawyer and a friend to be consulted in an emergency where a client's whole fortune or reputation for life might depend on the course he pursues, there is no man that I ever knew,

on whose judgment I should so implicitly rely as on that of Mr. Lord; and I may add that, in following his counsel, no one could have any reason to fear that he was doing any thing that was not both just and honorable.

With regard to the character of his attainments, they have been passed on in review by Mr. Evarts, in connection with the many great cases in which he was engaged in the State and National tribunals. So far as I am capable of judging from my own personal experience, from consultation with him in cases in which I was either personally interested or in which I represented others, I am sure that Mr. Evarts has only done Mr. Lord justice, when, in alluding to his management of those cases involving immense pecuniary interests, which resulted from the speculations to which the State Legislature some thirty years ago gave rise, he bears witness not only to the extent of his resources as a profound lawyer, but to the excellence of his judgment in their adjustment.

The advantages which I had enjoyed, by attending, when abroad, lectures on the Roman law and its application to the existing legislation of Europe, and in frequenting the tribunals of justice in foreign countries, led me, in my intercourse with Mr. Lord, to appreciate his knowledge of the French code, which not only governs France, but, more or less modified, continues the law of those countries which were embraced in the empire of Napoleon I. With him the civil law was not

merely resorted to for illustrating our own, but his attention was drawn to the *conflict of laws* in their direct practical application. As a New York lawyer, and especially as the great commercial lawyer of New York, he was necessarily obliged to inquire into and examine the laws of those countries with which his clients had business relations, and I have reason to know that he was learned beyond his contemporaries in the jurisprudence of Continental Europe.

I may also be permitted to state in this connection, that my last correspondence with him was on a matter requiring learning of a still different character. It arose from his having sent me a copy of his argument in one of the prize cases to which the hostilities between the North and South gave rise. It was the basis of his argument before the Supreme Court in the "prize cases," the decision in which settled the *status* of the inhabitants of the seceding States toward the United States; and though a majority of the court did not adopt all his views, it is not irrelevant to state that they were sustained by, among others, Judge Nelson, who delivered the opinion of the minority of the court, and by the late Chief-Justice Taney.

I may, perhaps, after the remarks made by Mr. Evarts, as to Mr. Lord's appreciation of his profession as an honorable and dignified pursuit, and not merely as a means of making money, allude to a fact which goes to confirm his statement. I recollect on one occasion, when Mr. Lord was counsel in a case involving a

very considerable amount of property, and to argue which he was compelled to go to Schenectady, where the Court of Appeals then sat, he returned one half of the fee which his client had thought appropriate, saying that it was too much.

So far as regards Mr. Lord's career, aside from his profession, you who are familiar with it for the twenty years which have elapsed since my connection with New York ceased, are much more able to speak than I am; but at the time that I knew him, and was in familiar intercourse with him, there was no moneyed institution in this city which required the advice of counsel in whom implicit confidence could be reposed, that did not send for Mr. Lord, and where that was practicable, did not deem it most important that he should constitute one of the governing Board. His name from a very early day was connected with the most important of the public charities.

So far as regards all the various relations of life, it is sufficient to say that his character is perfect, so perfect that I certainly shall not venture to diminish the effect with which it has been presented to your notice in the eloquent addresses to which we have just listened, by offering any unpremeditated observations of my own, as I remarked on rising. I have had no opportunity for preparation, no opportunity for putting in language more worthy of the occasion, and of any little reputation that I may enjoy, these sentiments which have been uttered as the spontaneous effusion of my feelings.

ADDRESS OF CHARLES O'CONOR, ESQ.

Mr. President: It would not be easy, and perhaps not possible, for the best judgment and the greatest ability, to add any thing to the exceedingly just and appropriate remarks already made in reference to the career, the character, and the disposition of our lamented friend Mr. Lord. Certainly, I should satisfy my own feelings, and no doubt would satisfy all others, by leaving these topics in the hands of those who have so ably spoken to them. Still, a single consideration impels me to make a few observations. One of the speakers was Mr. Lord's pupil; another was bound to him by family ties, and influenced by the associations which such ties naturally produce; the third was a client, who through business relations and identity of interests, was long his intimate friend. I happened to occupy toward Mr. Lord a relation different from any of these; and, consequently, I had opportunities of witnessing his acts and contemplating his character from another point of view. This circumstance may justify me in engaging your attention for a few minutes. While indicating my views of Mr. Lord, my remarks will serve the purpose of impressing upon the record of these proceedings a variety that cannot impair its interest. They will exhibit the testimony of another witness differing in material respects from those who have spoken. It will be the testimony of one who may, perhaps, be accepted as representing a class—the

professional brethren of Mr. Lord; his contemporaries in the struggle of life, his peers in occupation, in opportunity, and also in desire—if not in ability or public esteem.

Mr. Lord was eminently just and conscientious. From the outset of his career, the dictates of conscience, of honor, and of duty, as a man, as a Christian, as a member of the family, and as a member of society, were his guiding principles. And with the most precise and exact fidelity, through the whole course of his life, did he keep them in view; never—I have no difficulty in saying it, nor will any man contradict me—never, in any instance, or even in the slightest degree, deviating from their observance. His course was marked by singleness of purpose. At the outset of life, he chose for his employment the pursuit of our arduous and toilsome profession; from that hour until the close of his career, he knew no change. The same sentiments, tastes, and feelings which dictated his choice marked the whole of his subsequent life. Prepared by a complete course of appropriate studies, he entered the arena of public contest and of rivalry with his fellow-men, and during his half century of professional life he was never known as a politician, as a speculator in any gainful pursuit, or as a candidate for any public office, or as willing to accept one. Outside of his own domestic circle, he was known only as a man exclusively engaged in the pursuit of a highly honorable and useful profession, who was sedulously and with singleness of mind devoted to the

studies and line of action best suited to insure the exact and perfect performance of his duties. That in this one single department of human exertion he should have become a highly useful member of society, is not surprising. His object was not to accumulate great wealth. This has been amply proven by circumstances already recited, and, if desirable, I could add many facts in confirmation of it. He was a faithful counsellor, and a firm champion of the counsel given. His advocacy of whatsoever cause he espoused was always able and effective. As his examinations were very thorough, and his opinions consequently well considered, he never willingly relinquished their vindication until the final and authoritative judgment was pronounced upon them.

One cannot well employ many words in exhibiting the character of one whose whole career was marked with such uniformity and with such absolute propriety. With all the powers of his mind, with all the strength of his intellect, and with the utmost fidelity of heart, he gave himself to the performance of his duties; and, when this is said, perhaps the eulogium should end. The nearer such a character approaches perfection, the more difficult it is to amplify descriptive details.

In ordinary times, such a man is not designed by Providence to be a participant in stormy scenes, in violent altercations, or in those actions or controversies which excite the passions of men and leave a vivid im pression on the minds of his surviving contemporaries. A uniform course of absolute usefulness and propriety,

describes his life, conduct, and manners. It was, therefore, with great propriety that the first speaker observed a certain chaste and calm simplicity in his eulogium. It reached the precise limit of propriety and truth; it sacrificed nothing to mere show or ostentation. Mr. Lord was an extremely modest man, and, although he had many facilities for so doing, if inclined, he did not at the outset become at once engaged in very active practice. During the few years that intervened between his admission to the bar and my own, he was not very extensively engaged in contested causes; and whenever we were called into the same case, during forty years or thereabouts of my professional life, it almost invariably happened that we were placed on opposite sides. I found him an exceedingly formidable contestant. Nothing that diligence could discover, no agency that truth and honor could employ, ever failed to present itself upon his side. There was something remarkably uniform in his laborious fidelity to his clients. I remember, during the first or second year of my professional life, being engaged to prosecute a wealthy merchant for a humble mechanic. It was in a justice's court, and the sum in controversy was five-and-twenty dollars. The merchant would probably have paid thrice the sum rather than enter upon the contest; but pride often governs in these matters: he determined to resist, and the merchants' favorite of that day, Mr. Daniel Lord, was his chosen counsel. The six-men jury, assigned by law to such cases, witnessed our mutual efforts for a whole day; and

I can confidently affirm that Mr. Lord as earnestly and diligently devoted himself to the trial of that case as he ever applied himself to any similar duty when ten thousand times as many dollars depended upon his exertions. I think I can say with perfect confidence that greater zeal, more unwearied effort, more absolute ability so far as the case called for it, were not exhibited in his greatest cases than in that very small one. Mr. Lord's observance of duty was of the most uniform cast. He never failed in responding efficiently to any call which was honorable and just, or in any thing which constituted a part of his duty as a professional man.

Amid the haste and excitement of our conflicts at the bar, the best-regulated tempers will sometimes fail to preserve their equanimity. Though the instances were rare indeed, yet truth requires the admission that, occasionally, while Mr. Lord and myself were contending at the bar, words have been elicited from each of us which might seem not to have been conceived in entire kindness, and which were not at the moment accepted with perfect amenity. Yet I firmly believe that there never existed on his part, during the long period marked by our intellectual combats, the slightest rancor. I know that upon mine there never were any feelings but those of the most cordial and respectful nature. It has been said that Mr. Lord was a sincere Christian. His course in this branch of our mutual experience and intercourse afforded a strong proof of it. I perfectly remember an occasion, after we had been for fifteen or twenty years

contending at the bar, when contemplatively reviewing the past, I recalled the fact that every sharp passage between us had been promptly reconciled by a first advance on his part. Considering that he was full ten years my senior, and that doubtless I was not unfrequently the offender, this reminiscence very justly excited emotions akin to self-reproach. It imparted additional depth and earnestness to my habitual respect for him, and it led to a resolution on my part never again to utter a word in reference to him which could provoke a retort or need an explanation. That was a silent, and, until this hour, unpublished tribute to his worth. Resting on substantial foundations, the resolve had a just claim to observance, and I can affirm that it was faithfully kept.

Let these few unpremeditated remarks stand as my simple testimony to the high qualities and great moral worth of Mr. Lord. To the warm eulogium of his attached friends, and the classic tribute of his eminent pupil, it may not be amiss to append, in the record of these proceedings, the testimony of a life-long competitor at the bar, that he never knew a more pure, upright, and honorable lawyer than Daniel Lord.

At the conclusion of Mr. O'Conor's address, the resolutions were adopted, and the meeting adjourned.

MEMORIAL OF JAMES COUPER LORD.

The writer of the foregoing Memorial little thought, as he wrote the last few pages, that, before they should reach the printer's hands, death would again invade that family circle. Up to the time of Mr. Lord's own death, but one member of the family had died, and that was a little son, who, in compliment to one of the college friends referred to in the above narrative, had been named James Couper Lord. He was born June 25, 1825, and died September 3, of the same year.

On March 17, 1827, another son was born, to whom the same name was given, and who grew up with great promise, exhibiting at a very early age unusual amiability of temper, and a disposition full of generous impulses. As a lad, he was remarkable for the strong individuality of his character, which showed itself in a spirit of independence and self-reliance, which led him in his earlier days into many boyish blunders, but which, when tempered by age and experience, aided the development of his later years. Although he was not of a decidedly studious habit, yet, when his interest was awakened in any subject, he learned rapidly, and

almost by intuition; and, while still quite young, he had made considerable progress in several branches of scientific study. Circumstances, however, led him to enter upon a commercial life, in which, by virtue of careful training, and the exercise of a good judgment, enlarged by a constantly growing experience, he met with considerable success, and secured the respect of all who knew him in business connections. But prosperity, which so often contracts instead of expanding the character, did not close his heart against any human sympathy, or check the generous impulses which were so natural to him. From such a fate he was preserved by the power of a true Christian faith, under the ennobling influences of which, all his better qualities attained a still wider development as his life went on, so that, when his father died, there was not one of the family who seemed to have the promise of a longer or more useful life than he. He was in the prime of early manhood, with a young and interesting family growing up around him, whose future seemed dependent on his care and affection. His character had got its growth, and was thoroughly braced by principle—a broad field of serviceable labor lay before him, which he had already entered upon with a noble desire to do his whole duty—and to all earthly appearance he seemed like one whose work had but begun. But God, who often exalts His own great power by showing how little need He has even for the best of human agencies, had other things in store for him. It was not indeed intended that the life

which had started so well should belie its early promise, or have its usefulness diminished; but the limits which had been assigned to it, and which seemed to stretch far away into a bright and happy future, were to be greatly shortened. After the death of his father, James, with characteristic affection and earnestness, applied himself to the discharge of every filial and fraternal duty, and seemed to feel, as did all the members of that bereaved family, that the loss of their loved and honored head should only draw each closer to the other. He redoubled his already devoted attentions to his mother, and at the same time sought by every means in his power to deepen and strengthen the current of warm affection which had always flowed so freely through that circle. He gave kind brotherly advice whenever it was needed, seized eagerly every opportunity to lend assistance where he thought it would be of service, and, in short, endeavored to substitute a brother's love wherever the loss of a father's might be most deeply felt. And thus it happened that, in the short year that followed Mr. Lord's death, James had become, perhaps more than any other, the one whose counsel was most sought for, whose affection was most relied upon, and whose presence was everywhere most welcome.

But this was not to last. His health, though not robust, was still never seriously threatened. His close attention to his business, and to the various enterprises in which he was engaged, together with the pressure of the large responsibilities which rested on him, had, it is

true, begun to affect his nervous system, but, until within a week of his death, there were no premonitions which could alarm either himself or his friends.

On the 3d of February, 1869, he started on an errand of business to visit some iron-furnaces at Bethlehem and elsewhere in Pennsylvania. At the time of his departure he felt a little unwell, but not sufficiently so to make him abandon his journey. During the day, however, he grew worse, and, after having spent a night of great distress and pain in a cheerless country inn at Bethlehem, he started the next morning to return home, apprehending an attack of inflammation of the bowels. He reached New York the same afternoon, suffering intensely, and immediately sent for his physician. During the night his symptoms became more violent, but, in the morning, the disease, whose actual character was not yet suspected, seemed to yield to the remedies employed. This was Thursday, February 5th. From that time, although greatly prostrated by the effects of the attack, he appeared slowly to improve. On Sunday, he spent a comfortable day, which was followed by a night of refreshing sleep, and on Monday morning he began to look forward to his complete recovery as not far distant. Alas! what different things Providence was preparing for him. At about three o'clock in the afternoon, suddenly and with no appearance of any sufficient cause, he was again seized with a most violent attack of pain, which continued for several hours in spite of every effort to relieve it. At last, however, he seemed to feel

more easy, and the doctor left him for a little while, supposing tha tall was going well. But, when he returned, after a short absence, a sinking pulse and quickened breathing, with other unmistakable symptoms, at once indicated to his experienced eye that a serious change had taken place, and that some internal injury had been sustained which gave to the disease a new and most dangerous character. Stimulants were immediately administered, and at once—almost without a moment's warning—the sufferer was informed that his life was despaired of, and that he had probably but a short time for preparation.

How few, even of those who are truly Christians, can receive such an announcement without deep agitation and alarm! Death is a dreadful enemy to meet, even when his coming has been long expected, and the nerves have been braced for the encounter. But how much more dreadful is it when he appears suddenly at the bed-side, almost unannounced, and summons us in a moment to relinquish all that we have held most dear on earth, and to enter with him upon the dark pathway that leads through the tomb! At such a time, naught but the special and abounding grace of God can avail the soul, and, if the sting is taken away and the victory given, it is a token of His infinite mercy granted as a crowning blessing on a well-spent life. Such a victory was given here. The startling news, which drove the blood back to the hearts of those who stood beside him, awakened no alarm in him. Entirely alive to the grav-

ity of the crisis, he nevertheless addressed himself calmly and thoughtfully to the duties which such a moment called for, and turned his mind to the contemplation of those things which alone can cheer a dying bed. By a most merciful providence all pain seemed at once to leave him, and the clearness of his mind was thenceforth unaffected by bodily suffering. His first act was to seek support for the trying hour from Him who has said, to each trusting soul, "I will never leave thee nor forsake thee." As his thoughts turned to the desolation which his death would bring to that household where his presence and continued care were so deeply needed, he prayed earnestly that, "if it were consistent with God's will, he might be restored to health;" but even then he was given grace to add the petition "that, if it were His will that he should die, he might be prepared to meet Him trusting in the merits of His Son." It was wonderful to see with what a spirit of heavenly resignation he committed himself to the goodness of his Maker, and surrendered himself to the disposition of His holy will. Being warned that his time might be very short, he turned to the different members of his family, one by one, as they gathered round him, and, in clear and unfaltering though saddened tones, he addressed to each some words of affectionate remembrance or Christian counsel which will never be forgotten by those who heard them. Such words are too sacred to be repeated in the ears of strangers, but they sink deep

into the soul when it has been softened and broken by sorrow, and are treasured up as inspired messages direct from heaven. Whatever falls from dying lips is sure to be sincere, and, if at that solemn moment the soul is peaceful, and a Christian hope finds utterance in calm and holy words, it is a proof that God's Spirit has been an habitual dweller in the heart. And thus it was with Mr. Lord. His parting admonitions breathed a true spirit of faith and love—a faith which supported him in this time of his great need—and a love which led him to urge all within hearing to secure for themselves the comfort of a trust in God, and the peace and happiness which can only come with submission to His will.

The sorrowful but impressive scene was not to be of long duration. The hours of night rolled on, and morning dawned. He had at times found great satisfaction in the exercises of devotion, and had listened with eagerness to many words of promise and encouragement which had been repeated in his hearing by his faithful pastor; but his strength had gradually failed, until, as daylight began to come in through the windows, he lay quietly, and apparently without pain, waiting for his release. It would be unwise to dwell upon the sad details of his departure, or to expose to ordinary sympathy the bitter sorrow which darkened the hearts of those who witnessed it. It is sufficient to say that whatever of grief can come from the loss of those we love and lean upon, was there mingled with what-

ever of consolation can be given by the assurance of a well-grounded hope of heaven.

At nine o'clock he breathed his last, and, while weeping friends hung sadly round his earthly clay, his spirit rose to join, amid the throng around his Saviour's throne, that aged father whom he had so truly loved, and that little unknown brother, who had been gathered there before him. The struggles and sorrows of this sinful world could distress him no more, and he had exchanged the poor, unsatisfying joys of earth, which at the best can never fill the longings of the soul, for those heavenly raptures which it hath not entered into the heart of man to conceive.

"Why do we, then, their loss deplore, that are not lost?"

If aught can soften such bereavements, or avail to shed a fragrance that shall never fail around the tender memories of the departed, the friends of James Couper Lord should be comforted; for, having lived a life of humble faith, he was permitted to die the death of the righteous, and to leave behind him an unsullied record and a bright example. Cut down at the early age of forty-two, he had yet filled a large place in the community; and, as the crowd of mourners assembled at his funeral, each one absorbed in the depth of his own sorrow, the universal feeling among them all was one of astonishment that virtues so unobtrusive should have made so deep an impress on so many hearts.

FUNERAL SERVICES.

The following brief record of the funeral services of Mr. Lord will, perhaps, form the most fitting conclusion to this tribute to his memory, and will show the estimation in which he was held by those who knew him outside of his own family.

When the mourners had assembled at the house, after a short prayer of invocation by Rev. John Hall, D. D., the portion of Scripture beginning 1 Thess. iv. 13, to the end, was read.

Dr. Hall then added as follows:

And what other words can give comfort here? We are gathered in a house of mourning, from which the Lord has called away an affectionate husband and a devoted Christian father. They who were wont to lean on him will miss him here; but this Word presents an undying Father on whom to rest, and a personal Redeemer, who is husband to all who trust Him. What comfort is there outside this Word? When we miss the familiar form, and the tones of the well-known

voice, what remains but to remember whither he has gone? And when the desolate heart raises the question, "Shall we meet again?" whence can come any reliable answer but from this volume? It unfolds Christ as "the resurrection and the life." His people live in Him; and when He comes again—as He will—they come with Him. It will be long before the sorrowful human heart can take in all this comfort. While the blow is yet recent, and the sorrow yet fresh, it is hard to think calmly of all the higher aspects of a providence like this. One has to be still and submit to the Lord's hand, and look for that good Spirit who becomes the comforter for Christ's sake, and who gives strength and peace by showing the fulness, nearness, and grace of Jesus Christ. God grant such comfort in this dwelling, and to all here on whom this sudden and unlooked-for bereavement has come! God help them to transfer the love and trust that reposed upon an earthly father, to the "Father in heaven," to whose holy keeping we can, in our sympathy with them in their sore affliction, but commend them, through Jesus Christ, their Lord and ours!

Prayer was then offered by the Rev. William Adams, D. D., after which the procession moved to the church, which was occupied by a full congregation.

After the reading of Psalm 90 and 1 Cor. xv. 51, to the end, Dr. Hall proceeded to say:

Dear brethren, it is only about eleven months since

many of us now assembled here were gathered together elsewhere, with such solemnity of feeling as belongs to the last services over the dead. Then we met to express the regret and to learn the lessons appropriate to the removal of an eminent citizen and valued Christian —the father of him whom we mourn to-day. Then one was cut down as corn fully ripe. His day had reached its eventide. Here is one whose sun has gone down while it is yet noon. Both providences are right. Just and true are all God's ways, and He hath done it. His will be done!

Were we all without exception to reach the "threescore years and ten," it is not difficult to foresee the result. As it is, when there is no uniform rule as to the time of our removal, we are all too ready to postpone. How much stronger would the temptation become, did we see men regularly reach this utmost limit! As it is, God removes us at irregular periods, some in the dew of youth, some in early or middle life, and the few only in old age. Could He more impressively say unto us, "Be ye therefore also ready?" My beloved brethren, gathered from respect for the dead, and in sympathy with the living, let this be the voice of God to you from this solemn and touching providence—"Be ye also ready!"

If it could avert death to be a good and most useful member of society, an enterprising and just man of business, a trusted member of Christ's Church, an affectionate brother, a true husband, a most conscientious

father—then he would not have been taken. But not one, nor all of these graces, can guarantee continued life. He who gives those graces that make a man a blessing, a gift to those connected with him, recalls the gift when and as He will; and shows us that He can carry on the affairs of His great kingdom without the instrumentality which to us seems needful for its administration. But the substance of the graces that enriched and adorned the gift remains. That which made him, whom we bury to-day, useful in life and dear to so many, cannot die. The fruit of the Spirit abides. The likeness to Christ, wrought in God's servants on earth by the power of the Holy Ghost, remains to be perfected and maintained forever. Let it be our great care, my brethren, to be "meet for the inheritance of the saints in light." The qualities most esteemed in heaven most tend to render us useful on earth.

The lessons of this day are emphatically to the vigorous and strong, to the diligent and active young men of business. Dear friends, do not calculate on long life as a matter of course. Keep your business in manageable form. Be the masters of it, not the slaves. Do not make too much of it. What shall it profit you though you gained the whole world and lost your own souls? "But," one of you says, "I *have* believed; I do not prefer business to my soul's salvation." Be thankful, then, and go a step farther. Do not prefer it to your soul's growth. Do good in your common life. The last lengthened conversation I had with him, whose

removal saddens you, respected his plans for the moral and spiritual good of the work-people with whom he was brought in contact as an employer. "Do good to all as you have opportunity." Many times has he mentioned to me, with lively satisfaction, his share in an effort, down-town, to aid the young and friendless to education and self-supporting effort. "With such sacrifices God is well pleased."

Nor is this providence without solemn admonition to parents. Care for your children; above all, for their spiritual welfare. Their welfare is most closely linked with your happiness. The time for influencing them may not be long. It may be abruptly terminated. Try, therefore, to be true and faithful to them. Never did I know a man more conscientious and earnest and painstaking than he was regarding the children whose voices he shall hear no more on earth. God grant that his care, and prayers, and personal teaching, may attend them in hallowed influences and blessings from above! So, dear brethren, do you, where God has given you children, seek for them *first* the kingdom of God and His righteousness.

And now the earthly life that was so busy and so full of activity is over. The place that knew him shall know him no more. Yet is not the real life quenched. It survives. On what did he rest his hope? What encourages us? The "righteousness of Jesus Christ." On Him he rested. Dear friends, who weep here, "your brother is not dead, but sleepeth." He shall rise

again. See that you trust in and cleave to the Redeemer. Be His wholly—His in life and in death. And whenever or however your earthly career closes, at home or abroad, you shall be—whether you feel it or not—safe, quite safe, for "He is able to keep that which is committed to Him." Could I have counsel from our brother who sleeps in Christ, as to what I should here and now urge upon you, sure I am he would turn my words away from him, and to you, and bid me exalt Christ before you, his Lord and Saviour, and ours.

Let me ask Dr. Adams, whose life of labor and manifold experience gives weight to his words, to add what is proper on an occasion so solemn and so touching.

After a most impressive address by Dr. Adams, and concluding devotional exercises, the congregation slowly passed from the church; and all that was mortal of James Couper Lord was reverently consigned to the grave.

Note.—An effort was made to procure also from Dr. Adams some outline of his address, but it had been so entirely extemporaneous, and had sprung so spontaneously from the circumstances which led to its delivery, that he found it impossible to recall it in a form that would do justice to its merits.

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